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Yubereca d. Lee
Operator's Signature

10-16-03
Date

2003 SENATE EDUCATION

SB 2154

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2154

Senate Education Committee

Conference Committee

Hearing Date 01-22-03

Tape Number	Side A	Side B	Meter #
1	x		0 - end
1		x	0 - 18.0
Committee Clerk Signature <i>Daniel Johnson</i>			

Minutes: SENATOR FREBORG called the committee to order. Roll Call was taken with all (6) members present.

SENATOR FREBORG opened the hearing on SB 2154 relating to school district per student payments, weighting factors for per student payments, supplemental payments, and teacher compensation.

Testimony in support of SB 2154:

JOE MORRISSETTE, Asst. Ex. Budget Analyst with OMB, testified. (see attached).

LT. GOVERNOR DALRYMPLE, spoke on behalf of the Governor's office. He feels ND's greatest asset is their high school graduates of high caliber. ND has many problems in hiring teachers of high quality. This bill would provide an incentive for school board's to address the quality of teachers on staff first. He feels teacher compensation passed last session has had the desired effect. The weighting factors, the cost of education by DPI, is actually the expenses per

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Bill/Resolution Number SB 2154
Hearing Date 01-22-03

pupil. He feels the legislature needs to decide on a target on the weighting factors. The governor's office feels the supplemental equity payments are important and are asking for a \$1 million increase. He feels there are many schools that could be plaintiffs in a lawsuit if one were to be. These are schools that are deficient in property evaluation and deficient in per pupil payments. The governor feels funding for schools is very important. There are federal funds available and the legislature should ask if the funds would be freely distributed to districts for classes. Some of the problems that will be encountered is the funding shortfall in the DPI budget (\$2.8 million). A number of large schools are concerned with hold harmless provisions. The hold harmless provision is on the additional \$1500 payment to teachers this biennium, not on the whole \$4500 distributed to the teachers. This will be on about \$2.2 million. The governor felt there should be a distinction between one, two, and three year teachers in compensation. DPI feels the teacher compensation program is excessive.

SENATOR COOK asked where is the hold harmless legislation. The Lt. Governor thinks it is in the budget bill. SENATOR COOK stated the Lt. Gov. stated we must be careful not to find waste in the Federal dollars that come to the state by using them in administration costs. He asked if the governor's office has any figures on such. The Lt. Gov. answered no.

SENATOR FREBORG asked if we are paying hold harmless (\$2.2 million) on the whole amount of \$60 million, on the current biennium, as well as the new \$1500 for FTE. The Lt. Gov. replied there is the issue of the hold harmless for the current biennium which schools felt they were going to receive and because the funding was additional; they are not receiving. They would still like to receive that. The governor is not proposing anything in their budget to cover that. They

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have proposed \$1.2 million to cover the cost of the hold harmless on the additional \$1500 per teacher increase over the current biennium. The large schools would like to increase that by \$2.2 million for a total of about \$3.4 million to fully cover the entire \$4500 per teacher. Senator Freborg asked if the governor would support additional dollars in supplemental payments perhaps another \$1 million. Lt. Gov. Dalrymple stated yes. He feels the level of \$6 - \$7 million in the supplemental payment plan would eliminate the potential of a lawsuit.

GLORIA LOKKEN, NDEA President, testified. (see attached)

JOE WESTBY, NDEA Ex. Dir., testified and addressed some number issues. He presented charts and fact sheets on teacher salaries. (see attached). he stated that HB 1344, passed last session, is doing what it was intended to do which is improving salaries. He hopes the effort can be continued and maintained in the future. He stated the number people eligible to retire from the teaching profession in ND is projected to reach 38% in the next 8 - 9 years. Nationwide, there could be 2 million teachers projected to retire in that time.

SENATOR TAYLOR asked if there is any reliable data on out-migration of teachers from the state. MR. WESTBY stated he had asked for the number of vacancies as of the beginning of the 2002-2003 year from the school districts. 150 districts responded and they had 61 vacancies. He stated we still have a recruiting and retention problem in ND.

SENATOR FREBORG asked if NDEA has any data on ND's ranking with other states on the number of teachers with a Master's degree. MR. WESTBY stated that ND ranks poorly. The statistics are running about 18 - 20% of total teachers with Master degrees. The national average is about 50%.

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SENATOR FREBORG asked if ND ranks about 16th as to how far the dollars will go. MR.

WESTBY stated he has seen some statistics that show ND ranks about in the middle of all the states in how far the dollar will reach.

SENATOR FLAKOLL asked if the average of all state workers salaries is 100%, what would be the acceptable level of salary for teachers, considering their level of education, 125 -130%? MR.

WESTBY could not answer that question.

LARRY KLUNDT, Ex. Dir. ND Council of Educational Leaders, presented testimony. (see attached) . He further presented testimony from DAN HUFFMAN, Fargo Public Schools. (see attached). NDCEL is not opposed to teacher salary increases, but feels the money should go to foundation aid rather than to teacher compensation.

SENATOR COOK stated the ability to sustain the money was a worry of the legislators last session. NDCEL feels the commitment to pay the teachers was made last biennium and because of a shortfall of dollars it was not paid. Therefore, they feel the compensation now is not new money. He feels \$1.8 million in foundation aid would go a long way.

BEV NIELSON, ND School Boards Assn., stated their support for funding public schools in ND. She has some concerns with the bill: 1. They feel the FTE payment must be maintained and the 70% funding be sustained. 2. They feel the legislation from last session caused some differences of opinion. 3. Hold harmless needs to be in this bill. 4. Some things in the bill are unnecessary such as the different schedule for one, two, or three year teachers, etc.

SANDY CLARK, ND Farm Bureau, stated that if there is a tax increase to support this, then they feel income tax is the way to go rather than a sales tax increase. They oppose the teacher

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Senate Education Committee
Bill/Resolution Number SB 2154
Hearing Date 01-22-03

compensation package because they feel that should be negotiated by the local board and local teachers.

There was no testimony in opposition to SB 2154.

The hearing was closed on SB 2154.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2154

Senate Education Committee

Conference Committee

Hearing Date 02-03-03

Tape Number	Side A	Side B	Meter #
2	x		25.1 - 31.6
3	x		2.1 - 26.4
Committee Clerk Signature <i>Andrea Johnson</i>			

Minutes: CHAIRMAN FREBORG called the committee to order. Roll Call was taken with all (6) members present.

SENATOR FREBORG stated that per pupil payments are the last thing to consider in the bill.

Section 2 allows for 85% the first year and 100% the second year in the various categories.

These figures are based on a 5 year average cost. The second year of the biennium will be at cost at the 5 year average cost in every category. Within that category, because it is an average, there are some districts that will be below the line on that average and some above.

SENATOR COOK asked if there is legislation that deals with the number of categories. He would like to eliminate some categories and wonders if it can be done with this bill. He would like to combine the two lowest categories in Section 2. By combining the first two categories, we have a category that goes up to 150 students. SENATOR FREBORG stated that if this is done, we would have to average the two categories together to come up with the five year

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Bill/Resolution Number SB 2154
Hearing Date 2-03-03

average cost. (The difference now is between 1.625 and 1.335.) SENATOR COOK said we would end up with one category and the weighing factor would be somewhere between the two. SENATOR FREBORG asked JERRY COLEMAN if the first two categories are combined could he recalculate the factor and tell the committee where they would be in that combined category.

Committee Adjourned.

Tape 3, Side A, 2.1 - 26.4

SENATOR FREBORG stated that he would like to increase the appropriation in Section 4 to provide equity (in case mill deduct bill fails). We have \$2.2 million presently, the governor added \$1 million which brings the total to \$3.2 million which will help the poorest districts.

SENATOR LEE would agree with putting more dollars into supplemental payments. He feels this represents the groups that really need the dollars.

SENATOR COOK asked what the slight change to the formula is that Senator Freborg alluded to which will expand the schools that qualify. SENATOR FREBORG stated it moves the money around and may drop a district or add one or two. He feels this formula is closer to addressing the needs of the poorest districts. SENATOR COOK asked if the formula should be changed no matter how the dollar amount is affected. SENATOR FREBORG stated he has a formula in mind, but does not have it in amendment form yet. SENATOR LEE questioned the weighting factors. SENATOR FREBORG stated the weighted dollars are less in total if there is only one category. There are 30 districts that would benefit from increased supplemental payments, and are those who really need it. He doesn't feel we will ever realize 100% equity.

SENATOR FREBORG asked how much money we would like in supplemental payments.

SENATOR COOK asked if these are new dollars or dollars that are there now. SENATOR

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Hearing Date 2-03-03

FREBORG would like a total of \$5 million in the fund: the \$3.2 million already mentioned and he would like to add an additional \$1.8 million.

SENATOR LEE asked if the money were to go into foundation aid versus the FTE payment, the hold-harmless would not be necessary? He also asked if \$5.2 million is enough. SENATOR

FREBORG stated it would definitely help, especially if we go to court. SENATOR

CHRISTENSON asked when the court is going to step in? SENATOR FREBORG stated the court will do nothing until someone files a lawsuit.

SENATOR COOK asked if the dollars could be changed on supplemental payments. SENATOR FREBORG feels the dollars will be adjusted in Appropriations and he feels they will take dollars out when they get it.

SENATOR FREBORG is to get amendments on categories (combining the first two) and on supplemental payments.

The committee was adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2154

Senate Education Committee

Conference Committee

Hearing Date 02-04-03

Tape Number	Side A	Side B	Meter #
3	x		0 - 27.2

Committee Clerk Signature *Andrea Johnson*

Minutes: CHAIRMAN FREBORG called the committee to order. Roll Call was taken with all (6) members present.

SENATOR FREBORG presented an amendment which basically continues to fund the old bonus program. He stated the dollars in this amendment are adequate to fund any bonuses in the next biennium.

SENATOR COOK moved to adopt the amendment 38241.0103. Seconded by SENATOR LEE.

SENATOR FREBORG explained this is the bonus for reorganization, an incentive for the districts to reorganize and it speeds up the process by several years. No bonus can exceed \$500,000. The process to reorganize is in statute.

SENATOR FLAKOLL asked how many bonuses were paid since last session. SENATOR FREBORG stated there are surplus funds that are funding this. He feels there is about \$2 million

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Senate Education Committee
Bill/Resolution Number SB 2154
Hearing Date 02-04-03

available, \$900,000 left from FTE payments. He feels bonuses are first in line and will take about \$1.5 million and anything that is left will be applied to declining enrollment.

Roll Call Vote: 5 YES. 1 NO. 0 Absent. Amendment Adopted.

SENATOR COOK presented an amendment 38241.0104, which utilizes the hold-harmless dollars that weren't used. This amendment would sustain the surplus dollars and the new dollars.

SENATOR FREBORG asked how many dollars are in the amendment. SENATOR COOK guesses this will cost about \$4 million.

SENATOR COOK moved the amendment 38241.0104. SENATOR FLAKOLL seconded.

SENATOR FREBORG feels the hold harmless is not affordable. SENATOR COOK feels that passage of the teacher compensation which was passed last session was against equity. He feels this addresses equity. SENATOR FREBORG doesn't think so. He would like the extra dollars in supplemental payments.

SENATOR FLAKOLL would like a printout on the dollars left from HB 1344 from last session.

Roll Call Vote: 2 YES. 4 NO. 0 Absent. Amendment Falls.

The committee was adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2154

Senate Education Committee

Conference Committee

Hearing Date 02-05-03

Tape Number	Side A	Side B	Meter #
2	x		28.7 - end
2		x	0-21.3
Committee Clerk Signature <i>Sandra Johnson</i>			

Minutes:CHAIRMAN FREBORG called the committee to order. Roll Call was taken with all (6) members present.

JERRY COLEMAN, DPI, presented some facts to the committee. He stated we have about \$3 million dollars left from foundation aid and transportation. There is about \$600,000 left from the teacher compensation. There is appropriated \$2 million to declining enrollment, about \$1 million to hold harmless, and about \$600,000 on teacher compensation to be distributed on the weighted pupil unit. He presented corrected copies of the supplemental payments. (see attached).

SENATOR FREBORG distributed an amendment. (38241.0102) SENATOR LEE explained the amendment. He stated it eliminates the under 75 daily membership category. It combines the first and second categories and moves them to 85% of the difference between the century code factor and the 5 year average. It leaves the multiplying factor at 1.335 for those two categories. Beginning the second year of the biennium it goes to the 5 year average cost of education as determined by the superintendent. These are the major changes. The rest of the amendments

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Hearing Date 02-05-03

basically update the language to say we are going to 85% the first year of the biennium and the second year of the biennium we are going to the 5 year average cost for each of the other categories.

SENATOR LEF moved to adopt the amendment (38241.0102). Seconded by **SENATOR FLAKOLL**. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Amendment Adopted (38241.0102).

SENATOR FREBORG presented an amendment (38241.0107) for the committee to consider.

SENATOR FREBORG stated the intent is to bring the dollar amount to \$5 million. We are at \$2.2 million, there is \$1 million in the Governor's budget, and we are asking \$1.8 million additional which is not in the governor's budget which brings us to \$5 million

SENATOR COOK asked if the formula is changed. **SENATOR FREBORG** said yes.

SENATOR FREBORG asked **TOM DECKER**, DPI, to address the issues.

MR. DECKER stated the formula now is two parts, you must levy at least 180 mills and that gets us within 5% of the state average general fund levy. It switches from the valuation per pupil, the total revenue per pupil. We are concerned with equity so we need to put all the money in the formula and help those people who on that basis still come up short on per pupil revenue. There is other revenue which is from local sources (in lieu of money, all property tax revenue, unrestricted federal and intermediate federal money).

SENATOR COOK moved the amendments (38241.0107) Seconded by **SENATOR CHRISTENSON**. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Amendment Adopted.

SENATOR FREBORG presented an amendment (38241.0108) for the committee to consider.

He stated this raises the minimum based salaries. **SENATOR FLAKOLL** stated that last session

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Hearing Date 02-05-03

the base was raised from \$18,000 to \$20,000. This will bring that base up to \$20,500 the first year and \$21,500 the second year.

SENATOR FLAKOLL moved the amendment (38241.0108). Seconded by SENATOR LEE. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Amendment Adopted.

SENATOR FREBORG presented an amendment (38241.0106) for the committee to consider.

He stated this moves teacher compensation money into foundation aid. SENATOR COOK stated it is tough to tell how many dollars are in foundation aid. SENATOR FREBORG said there are dollars available for education but they are in different places.

ANITA THOMAS was asked how many additional dollars are in the foundation aid payments in the amendment (38241.0106). She referred to Jerry Coleman.

JERRY COLEMAN stated \$66 million 277 thousand less 250 thousand is in the foundation aid.

SENATOR FREBORG asked what the total dollars are in teacher compensation and hold harmless. MR. COLEMAN stated it would be \$66 million plus \$1.2 million. SENATOR FREBORG asked about the "new" teacher comp., the increase, the new money to raise salaries again. MR. COLEMAN stated to sustain the current teacher comp. at \$2000 will be about \$52 million. The Executive budget has a total of \$66 million and also there is \$1.2 million from hold harmless. SENATOR FREBORG stated then it is \$15 million dollars less \$250,000.

SENATOR COOK asked if the intent is to move 100% of the teacher comp. money into foundation aid? SENATOR FREBORG stated it should only move the new money, \$15 million.

The amendment (38241.0106) was not right. It should be only the new teacher pay and the hold harmless money which is \$15 million.

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SENATOR COOK moved the amendment as intended. (38241.0106) Legislative Council will draft the correct amendment. Seconded by SENATOR FLAKOLL.

Roll call vote: 4 YES. 2 NO. 0 Absent. Amendment Adopted.

SENATOR COOK stated they could amend this bill to direct hold harmless dollars into the next biennium. It would take \$1.2 million into hold harmless. SENATOR FREBORG asked if we should continue to fund hold harmless forever. SENATOR COOK stated only for the next biennium.

SENATOR COOK moved that the surplus dollars at the end of the bill, the first item that would be paid, would be hold harmless dollars created for the teacher compensation pay that we have in SB 2154. Seconded by SENATOR FLAKOLL. Roll Call Vote: 2 YES. 4 NO. 0 Absent. Amendment fails.

SENATOR COOK moved a DO PASS as Amended and rerefer to Appropriations.

Roll Call Vote: 4 YES. 2 NO. 0 Absent. Motion Carried.

Carrier: SENATOR FREBORG.

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FISCAL NOTE
 Requested by Legislative Council
 04/23/2003

Amendment to: SB 2154

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$546,733,990	\$0	\$546,733,990	\$0
Appropriations	\$0	\$0	\$500,000	\$0	\$546,733,990	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$546,733,990	\$0	\$0	\$546,733,990

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

SIGNIFICANT CHANGES FROM REENGR SB 2154 (2nd Engrossment with House Amendments - Majority Report)

- Sets the per student payments for the 2003-05 biennium provided for in the North Dakota Century Code Section 15.1-27-04 to \$2,509 for 2003-04 and \$2,623 for 2004-05.
- Increases the appropriation for supplemental revenue payments \$500,000 to \$5,000,000.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Expenditures impacted by this bill are projected at \$546,733,990, which includes:

- per student, transportation and teacher compensation appropriated in SB 2013.
- revenue supplement and reorganization bonuses appropriated in SB 2154.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Payment factors: 2003-04/2004-05

- Per student payments (to be amended): \$2,509/\$2,623
- Projected weighted pupil units:108,381/106,258

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- Taxable valuation increase:0/1.57%
- Mill deduct:34/36
- Weighting factor adjustment percentage:85%/100%
- Percentage of appropriation paid each year:49.67%/50.33%
- Teacher lncensed over 1 year (8,559 fte):\$3,000/\$3,000
- First year lncensed teachers (250 fte):\$1,000/\$1,000

House/Conference/Changes

SB 2013 Per student payment/transp- 489,379,990/489,379,990/0
 SB 2013 Teacher compensation- 51,854,000/51,854,000/0
 SB 2154 Revenue supplemental- 4,500,000/5,000,000/500,000
 SB 2154 Reorganization bonuses- 500,000/500,000/0
 Total Effected- 546,233,990/546,733,990/500,000

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	04/24/2003

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FISCAL NOTE
 Requested by Legislative Council
 04/09/2003

Amendment to: SB 2154

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$546,233,990	\$0	\$546,233,990	\$0
Appropriations	\$0	\$0	\$8,000,000	\$0	\$546,233,990	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$546,233,990	\$0	\$0	\$546,233,990

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

SIGNIFICANT CHANGES FROM REENGR SB 2154

- Changes the per student payments for the 2003-05 biennium provided for in the North Dakota Century Code Section 15.1-27-04 to \$2,509 for 2003-04 and \$2,633 for 2004-05.
- Provides for a mill deduct increase of two mills each year until it reaches 25% of the state average general fund levy.
- Provides for an appropriation of \$500,000 for the purpose of providing reorganization bonuses under 15.1-12-11.1.
- provides for an appropriation of \$4,500,000 for supplemental revenue payments.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Expenditures impacted by this bill are projected at \$546,233,990, which includes:

- per student, transportation and teacher compensation appropriated in SB 2013.
- revenue supplement and reorganization bonuses appropriated in SB 2154.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

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Yheresa J. Lee
 Operator's Signature

10-16-03
 Date

Payment factors: 2003-04/2004-05

- Per student payments (to be amended): \$2,509/\$2,633
- Projected weighted pupil units: 108,331/106,204
- Taxable valuation increase: 0/3.6%
- Mill deduct: 34/36
- Weighting factor adjustment percentage: 85%/100%
- Percentage of appropriation paid each year: 49.67%/50.33%
- Teacher licensed over 1 year (8,559 fte): \$3,000/\$3,000
- First year licensed teachers (250 fte): \$1,000/\$1,000

Senate/House/Changes

SB 2013 Per student payment/transp- 479,379,990/489,379,990/10,000,000
SB 2013 Teacher compensation- 51,854,000/51,854,000/0
SB 2154 Revenue supplemental- 5,000,000/4,500,000/(500,000)
SB 2154 Reorganization bonuses- 2,000,000/500,000/(1,500,000)
Total Effected- 538,233,990/546,233,990/8,000,000

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	04/09/2003

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10-16-03
Date

FISCAL NOTE
 Requested by Legislative Council
 04/04/2003

Amendment to: SB 2154

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$546,733,990	\$0	\$546,733,990	\$0
Appropriations	\$0	\$0	\$8,500,000	\$0	\$546,733,990	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$546,733,990	\$0	\$0	\$546,733,990

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

SIGNIFICANT CHANGES FROM REENGR SB 2154

- Changes the per student payments for the 2003-05 biennium provided for in the North Dakota Century Code Section 15.1-27-04 to \$2,509 for 2003-04 and \$2,633 for 2004-05.
- Provides for a mill deduct increase of two mills each year until it reaches 25% of the state average general fund levy.
- Provides for an appropriation of \$500,000 for the purpose of providing reorganization bonuses under 15.1-12-11.1.
- provides for an appropriation of \$5,000,000 for supplemental revenue payments.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Expenditures impacted by this bill are projected at \$546,733,990, which includes:

- per student, transportation and teacher compensation appropriated in SB 2013.
- revenue supplement and reorganization bonuses appropriated in SB 2154.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

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Yubereca d. Lee
 Operator's Signature

10-16-03
 Date

Payment factors: 2003-04/2004-05

- Per student payments (to be amended): \$2,509/\$2,633
- Projected weighted pupil units:\$108,331/\$106,204
- Taxable valuation increase:0/3.6%
- Mill deduct:34/36
- Weighting factor adjustment percentage:85%/100%
- Percentage of appropriation paid each year:49.67%/50.33%
- Teacher licensed over 1 year (8,559 fte):\$3,000/\$3,000
- First year licensed teachers (250 fte):\$1,000/\$1,000

Senate/House/Changes

SB 2013 Per student payment/transp- 479,379,990/489,379,990/10,000,000
SB 2013 Teacher compensation- 51,854,000/51,854,000/0
SB 2154 Revenue supplemental- 5,000,000/5,000,000/0
SB 2154 Reorganization bonuses- 2,000,000/500,000/(1,500,000)
Total Effected- 538,233,990/546,733,990/8,500,000

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	04/04/2003

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Yvonnea J. Lee
Operator's Signature

10-16-03
Date

FISCAL NOTE
 Requested by Legislative Council
 02/19/2003

Amendment to: SB 2154

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$538,233,990	\$0	\$538,233,990	\$0
Appropriations	\$0	\$0	(\$11,500,000)	\$0	\$538,233,990	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$538,233,990	\$0	\$0	\$538,233,990
					0			0

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

SIGNIFICANT AMENDMENTS IN REENGR SB 2154

-Changes the per student payments for the 2003-05 biennium provided for in the North Dakota Century Code Section 15.1-27-04 to \$2,497 for 2003-04 and \$2,619 for 2004-05 to coordinate with the school aid funding provided in Senate Bill No. 2013 and the mill deduct change in Senate Bill No. 2182.

-Increases the minimum salary for each full-time teacher under contract for a nine-month period to a base salary of \$21,000 for the first year and \$22,500 for the second year.

-Provides for an appropriation of \$2,000,000 for the purpose of providing reorganization bonuses under 15.1-12-11.1 and joint powers agreement incentives.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Expenditures under this bill are projected at \$538,233,990, which includes state school aid, teacher compensation, revenue supplement, reorganization bonuses/joint powers incentives, and hold-harmless line items in the SB 2013 DPI appropriation bill.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

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10-16-03
 Date

PAYMENT FACTORS: 2003-04 - 2004-05

Per student payments (to be amended): 2,497 - 2,619
Projected weighted pupil units: 107,978 - 105,952
Taxable valuation increase: N/A - 3.6%
Mill deduct (SB 2182): 36 - 38
Weighting factor adjustment percentage: 85% - 100%
Percentage of appropriation paid each year: 49.67% - 50.33%
Teachers licensed over one year (8,559 fte): 3,000 - 3,000
First year licensed teachers (250 fte): 1,000 - 1,000

EXECUTIVE BUDGET - SENATE - CHANGES

Per Student and transportation: 478,056,990 - 479,379,990 - 1,323,000
Teacher compensation: 66,277,000 - 51,854,000 - (14,423,000)
Revenue supplemental payments: 3,200,000 - 5,000,000 - 1,800,000
Reorganization bonuses/joint powers: 1,000,000-2,000,000-1,000,000
Hold-harmless: 1,200,000 - 0 - (1,200,000)
TOTAL Effected: 549,733,990 - 538,233,990 - (11,500,000)

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	02/19/2003

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Yuberaca d. Lee
Operator's Signature

10-16-03
Date

FISCAL NOTE
 Requested by Legislative Council
 02/06/2003

Amendment to: SB 2154

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$549,733,990	\$0	\$549,733,990	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$549,733,990	\$0	\$0	\$549,733,990

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

NOTE:

This note has been prepared to reflect no change in funding from the executive budget. This will require the payment rate in Engr. SB 2154 to be amended to \$2,550 and \$2,674 (from \$2,497 and \$2,589 as currently written) to reflect the changes in the mill deduct contained in SB 2182, which has been passed by the Senate.

SUMMARY:

The bill sets the per student payment amount for foundation aid for the 2001-2003 biennium, changes the weighting factor adjustment percentages to 85% the first year and 100% the second year, and establishes the reimbursement rates for reimbursing districts for increasing teacher compensation.

SIGNIFICANT AMENDMENTS IN ENGR SB 2154:

- combines the high school weighting factor categories of 0-74 students and 75-149 students into one high school category 0-149 students.
- changes the formula for the supplemental equity payment and provides for an appropriation of \$5,000,000.
- increases the minimum salary for each full-time teacher under contract for a nine-month period to a base salary of \$20,500 the first year and \$21,500 the second year.
- provides for an appropriation of \$1,500,000 for the purpose of providing reorganization bonuses under 15.1-12-11.1.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

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 Operator's Signature

10-16-03
 Date

B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Expenditures under this bill are projected at \$549,733,990, which includes state school aid, teacher compensation, revenue supplement, reorganization bonuses/joint powers incentive, and hold-harmless line items in the SB 2013 DPI appropriation bill.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

PAYMENT FACTORS (for 2003-04/2004-05):

- Per student payments (to be amended): 2,550/2,674
- Projected weighted pupil units: 107,978/105,952
- Taxable valuation increase: 3.6% (2004-05)
- Mill deduct (SB 2182): 36/38
- Weighting factor adjustment percentage: 85%/100%
- Percentage of appropriation paid each year: 49.67%/50.33%
- Teachers licensed over 1 year (8,559 fte): 3,000/3,000
- First year licensed teachers (250 fte): 1,000/1,000

EXECUTIVE BUDGET/SENATE/CHANGES

Per Student and transportation: 478,056,990/490,879,990/12,823,000
Teacher compensation: 66,277,000/51,854,000/(14,423,000)
Revenue supplemental payments: 3,200,000/5,000,000/1,800,000
Reorganization bonuses/joint powers: 1,000,000/2,000,000/1,000,000
Hold harmless: 1,200,000/0/(1,200,000)
Total effected: 549,733,990/549,733,990/0

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	02/11/2003

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Operator's Signature

10-16-03
Date

FISCAL NOTE
 Requested by Legislative Council
 01/03/2003

Bill/Resolution No.: SB 2154

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$547,140,706	\$0	\$547,140,706	\$0
Appropriations	\$0	\$0	\$2,806,716	\$0	\$547,140,706	\$0

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$547,140,706	\$0	\$0	\$547,140,706

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This bill sets the per student payment amount for foundation aid at \$2,430 the first year and \$2,528 the second year of the 2001-2003 biennium, changes the weighting factor adjustment percentages to 85 percent the first year and 100 percent the second year, and establishes the reimbursement rates for reimbursing districts for increasing teacher compensation.

3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:

A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Expenditures under this bill are projected at \$547,140,706, \$478,918,706 for foundation aid and \$68,222,000 for teacher salary reimbursement.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Foundation aid factors:	2003-04	2004-05
-Per student payments	\$2,430	\$2,528
-Projected weighted pupil units	108,345	106,232
-Taxable valuation increase		3.6%
-Mill deduct	32	32

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 Operator's Signature

10-16-03
 Date

-Weighting factor adjustment percentage 85% 100%
 -Percentage of appropriation paid each year 49.67% 50.33%

Teacher compensation projections:

2003-04 Teacher FTE estimates

-Teachers licensed over two years 8,309 x \$3,500 = \$29,081,500
 -Second year licensed teachers 250 x 3,000 = 750,000
 -First year licensed teachers 250 x 1,000 = 250,000
 8,809 \$29,928,000

2004-05

-Teachers licensed over three years 8,059 x \$4,500 = \$36,265,500
 -Third year licensed teachers 250 x 3,500 = 875,000
 -Second year licensed teachers 250 x 3,000 = 750,000
 -First year licensed teachers 250 x 1,000 = 250,000
 8,809 \$38,140,500

Increase required to fund at factors in SB 2154

	Per Student/Transp	Teacher Comp	Total
Executive Budget	478,056,990	66,277,000	544,333,990
Projection SB 5154	478,918,706	68,222,000	547,140,706
Increase required	861,716	1,945,000	2,806,716

Projections are based on data available at January 2003.

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	01/16/2003

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Yheresa J. Lee
 Operator's Signature

10-16-03
 Date

38241.0103
Title.

Prepared by the Legislative Council staff for
Senator Freborg
February 4, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2154

Page 1, line 4, after "compensation" insert "; and to provide an appropriation"

Page 10, after line 30, insert:

"SECTION 6. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing reorganization bonuses under section 15.1-12-11.1 to school districts, for the biennium beginning July 1, 2003, and ending June 30, 2005. The superintendent of public instruction shall determine the eligibility of reorganized districts chronologically, according to the date on which each district's reorganization plan was approved by the state board of public school education. No reorganization bonus payable under this Act may exceed \$500,000. A reorganized district that receives a reorganization bonus under this Act is not eligible to receive additional reorganization bonuses based on future reorganization efforts for a period of ten years."

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2154

Page 1, line 1, after "Act" insert "to provide for a distribution of alternative payments to school districts;"

Page 1, line 4, after "compensation" insert "; and to declare an emergency"

Page 10, after line 30, insert:

"SECTION 6. DISTRIBUTION OF ALTERNATIVE PAYMENTS TO SCHOOL DISTRICTS - 2001-03 BIENNIUM.

1. The superintendent of public instruction shall:
 - a. Calculate the payment to which a school district is entitled during the 2001-03 biennium under chapter 173 of the 2001 Session Laws; and
 - b. Calculate the payment to which a school district would have been entitled during the 2001-03 biennium under chapter 173 of the 2001 Session Laws if the per student payment established in section 7 of chapter 173 of the 2001 Session Laws had been two thousand four hundred thirty-nine dollars for the first year of the biennium and two thousand five hundred two dollars for the second year of the biennium and if no level of teacher compensation had been established.
2. If the amount to which a school district would have been entitled under subdivision b of subsection 1 exceeds the amount that the school district actually received under subdivision a of subsection 1, the superintendent of public instruction shall forward the difference to the school district on or before June 30, 2003.

SECTION 7. DISTRIBUTION OF ALTERNATIVE PAYMENTS TO SCHOOL DISTRICTS - 2003-05 BIENNIUM.

1. The superintendent of public instruction shall:
 - a. Calculate the payment to which a school district is entitled during the 2003-05 biennium under this Act; and
 - b. Calculate the payment to which a school district would have been entitled if the total amount appropriated for teacher compensation reimbursement payments during the 2003-05 biennium had been added to any other per student payments under this Act and if no level of teacher compensation reimbursement payments had been provided for the 2003-05 biennium.
2. If the amount to which a school district would have been entitled under subdivision b of subsection 1 exceeds the amount that the school district actually received under subdivision a of subsection 1, the superintendent of public instruction shall forward the difference to the school district on or before June 30, 2005.

SECTION 8. EMERGENCY. Section 6 of this Act is declared to be an emergency measure."

Renumber accordingly

Page No. 2

38241.0104

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Yherosa J. Lee
Operator's Signature

10-16-03
Date

38241.0102
Title.

Prepared by the Legislative Council staff

February 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2154

Page 1, line 21, overstrike "Each district having under seventy-five students in average daily membership in"

Page 1, line 22, overstrike "grades nine through twelve is entitled to receive" and remove "for the first year of the 2003-2005"

Page 1, line 23, remove "biennium" and overstrike "the amount of money that results from multiplying the factor 1.625"

Page 1, line 24, overstrike "adjusted by", remove "eighty-five", and overstrike "percent of the difference between 1.625 and"

Page 2, overstrike lines 1 through 3

Page 2, line 4, overstrike "the per student payment provided for in section 15.1-27-04." and remove "For the second year"

Page 2, remove lines 5 through 7

Page 2, line 8, overstrike "2." and overstrike "at least seventy-five but fewer than" and insert immediately thereafter "under"

Page 2, line 9, remove "for"

Page 2, line 10, remove "the first year of the 2003-2005 biennium"

Page 2, line 16, replace "For the second year of the 2003-2005 biennium and all succeeding" with "Beginning July 1, 2004, the factor is that which represents"

Page 2, remove line 17

Page 2, line 18, remove "the factor representing"

Page 2, line 19, after "category" insert ", as determined by the superintendent of public instruction"

Page 2, line 20, overstrike "3." and insert immediately thereafter "2."

Page 2, line 22, remove "for the first year of the 2003-2005 biennium"

Page 2, line 28, replace "For the second year of the 2003-2005" with "Beginning July 1, 2004, the factor is that which represents"

Page 2, remove line 29

Page 2, line 30, remove "difference between 1.24 and the factor representing"

Page 2, line 31, after "category" insert ", as determined by the superintendent of public instruction"

Page 3, line 1, overstrike "4." and insert immediately thereafter "3."

Page 3, line 2, remove "for the first year of"

Page 3, line 3, remove "the 2003-2005 biennium"

Page 3, line 8, replace "For the" with "Beginning July 1, 2004, the factor is that which represents"

Page 3, remove lines 9 and 10

Page 3, line 11, after "category" insert ", as determined by the superintendent of public instruction"

Page 3, line 12, overstrike "5." and insert immediately thereafter "4."

Page 3, overstrike lines 16 through 19

Page 3, line 20, overstrike "at least seventy-five but"

Page 3, line 22, overstrike "c." and insert immediately thereafter "b." and overstrike "3" and insert immediately thereafter "2"

Page 3, line 26, overstrike "d." and insert immediately thereafter "c." and overstrike "4" and insert immediately thereafter "3"

Page 3, line 30, overstrike "6." and insert immediately thereafter "5."

Page 4, line 11, remove "for the"

Page 4, line 12, remove "first year of 2003-2005 biennium"

Page 4, line 18, replace "For the second year of" with "Beginning July 1, 2004, the factor is that which represents"

Page 4, remove line 19

Page 4, line 20, remove "of the difference between 1.28 and the factor representing"

Page 4, line 21, after "category" insert ", as determined by the superintendent of public instruction"

Page 5, line 8, remove "for the first year of the 2003-2005 biennium"

Page 5, line 14, replace "For the second year of the biennium" with "Beginning July 1, 2004, the factor is that which represents"

Page 5, remove line 15

Page 5, line 16, remove "between 1.09 and the factor representing"

Page 5, line 17, after "category" insert ", as determined by the superintendent of public instruction"

Page 5, line 22, remove "for the first year of the 2003-2005 biennium"

Page 5, line 28, replace "For the second year of the biennium" with "Beginning July 1, 2004, the factor is that which represents"

Page 5, remove line 29

Page 5, line 30, remove "between .905 and the factor representing"

Page 5, line 31, after "category" insert ", as determined by the superintendent of public instruction"

Page 6, line 4, remove "for the first year of the"

Page 6, line 5, remove "2003-2005 biennium"

Page 6, line 10, replace "For the second" with "Beginning July 1, 2004, the factor is that which represents"

Page 6, remove line 11

Page 6, line 12, remove "percent of the difference between .95 and the factor representing"

Page 6, line 13, after "category" insert ", as determined by the superintendent of public instruction"

Page 6, line 17, remove "for the first year of the 2003-2005 biennium"

Page 6, line 23, replace "For the second year of the biennium and all succeeding" with "Beginning July 1, 2004, the factor is that which represents"

Page 6, remove line 24

Page 6, line 25, remove "the factor representing"

Page 6, line 26, after the underscored comma insert "as determined by the superintendent of public instruction."

Page 7, line 2, remove "for the first year of the 2003-2005"

Page 7, line 3, remove "biennium"

Page 7, line 11, replace "For the second year of the" with "Beginning July 1, 2004, the factor is that which represents"

Page 7, remove line 12

Page 7, line 13, remove "difference between 1.01 and the factor representing"

Page 7, line 14, after "category" insert ", as determined by the superintendent of public instruction"

Page 7, line 16, remove "for the first year of the 2003-2005 biennium"

Page 7, line 22, replace "For the" with "Beginning July 1, 2004, the factor is that which represents"

Page No. 3

38241.0102

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Yuberca d. Lee
Operator's Signature

10-16-03
Date

Page 7, remove line 23

Page 7, line 24, remove "hundred percent of the difference between .50 and the factor representing"

Page 7, line 25, after "category" Insert ", as determined by the superintendent of public instruction"

Renumber accordingly

Page No. 4

38241.0102

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Yherosa J. Lee
Operator's Signature

10-16-03
Date

38241.0107
Title.

Prepared by the Legislative Council staff for
Senator Freborg
February 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2154

Page 1, line 4, after "compensation" Insert "; and to provide an appropriation"

Page 8, line 15, after the boldfaced period Insert:

"1."

Page 8, line 16, overstrike "the average valuation of property per student by dividing the"

Page 8, overstrike lines 17 through 31

Page 9, line 1, overstrike "4. Multiply the result determined under subsection 3 by" and remove
"a factor"

Page 9, remove lines 2 and 3

Page 9, line 4, remove "this section in payments to qualifying school districts" and overstrike ".
The result is the"

Page 9, overstrike line 5

Page 9, line 6, overstrike "other amount provided under chapter 15.1-27" and insert
Immediately thereafter "a school district's average revenue per student by multiplying
the taxable valuation of a school district by its general fund mill levy rate, adding to the
product all county, state, and unrestricted federal revenue received by the district,
adding all tuition apportionment payments received by the district, and dividing the total
by the number of students in average daily membership in the district.

2. Using the calculations of subsection 1, the superintendent of public instruction shall also determine the state average revenue per student.
3. If a school district has a general fund levy of one hundred eighty mills or more and has an average revenue per student which is below the state average revenue per student, the school district is eligible to receive supplemental payments under this section.
4. In order to determine the amount of supplemental payments to which an eligible school district is entitled under this section, the superintendent of public instruction shall:
 - a. Divide the state average revenue per student by the school district's average revenue per student;
 - b. Multiply the result determined under subdivision a by the number of students in average daily membership in the school district; and
 - c. Prorate the product determined under subdivision b for each eligible school district in relation to the total biennial appropriation for supplemental payments under this section"

Page No. 1

38241.0107

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Yuberoa J. Lee
Operator's Signature

10-16-03
Date

Page 10, after line 30, insert:

"SECTION 6. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts, for the biennium beginning July 1, 2003, and ending June 30, 2005."

Renumber accordingly

Page No. 2

38241.0107

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Yvonne A. Lee
Operator's Signature

10-16-03
Date

38241.0108
Title.

Prepared by the Legislative Council staff for
Senator Freborg
February 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2154

Page 1, line 2, remove "and" and after "15.1-27-37" insert ", and 15.1-27-39"

Page 10, after line 30, insert:

"SECTION 6. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level ~~of salary~~ for the contract period equal to at least ~~eighteen~~ twenty thousand five hundred dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars."

Renumber accordingly

38241.0106
Title.

intent

Prepared by the Legislative Council staff for
Senator Freborg
February 5, 2003

38241.0106

PROPOSED AMENDMENTS TO SENATE BILL NO. 2154

Page 1, line 1, after the third comma insert "and"

Page 1, line 2, remove ", and 15.1-27-37"

Page 1, line 3, after the second comma insert "and", replace the third comma with a semicolon, and after "and" insert "to repeal sections 15.1-27-36, 15.1-27-37, 15.1-27-38, and 15.1-27-39 of the North Dakota Century Code, relating to reimbursements for"

Page 1, line 9, replace "four" with "seven"

Page 1, line 10, replace "thirty" with "thirty-three"

Page 1, line 11, replace "five" with "eight" and replace "twenty-eight" with "thirty-six"

Page 9, line 7, replace "AMENDMENT. Section 15.1-27-37" with "REPEAL. Sections 15.1-27-36, 15.1-27-37, 15.1-27-38, and 15.1-27-39" and replace "is" with "are repealed."

Page 9, remove lines 8 through 31

Page 10, remove lines 1 through 30

Renumber accordingly

Page No. 1

38241.0106

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10-16-03
Date

2 of 6

Page 2, remove line 29

Page 2, line 30, remove "difference between 1.24 and the factor representing"

Page 2, line 31, after "category" insert ", as determined by the superintendent of public instruction"

Amendments to SB 2154 EDUC 2/5/03

Page 3, line 1, overstrike "4." and insert immediately thereafter "3."

Page 3, line 2, remove "for the first year of"

Page 3, line 3, remove "the 2003-2005 blennium"

Page 3, line 8, replace "For the" with "Beginning July 1, 2004, the factor is that which represents"

Page 3, remove lines 9 and 10

Page 3, line 11, after "category" insert ", as determined by the superintendent of public instruction"

Page 3, line 12, overstrike "5." and insert immediately thereafter "4."

Page 3, overstrike lines 16 through 19

Page 3, line 20, overstrike "at least seventy-five but"

Page 3, line 22, overstrike "c." and insert immediately thereafter "b." and overstrike "3" and insert immediately thereafter "2"

Page 3, line 26, overstrike "d." and insert immediately thereafter "c." and overstrike "4" and insert immediately thereafter "3"

Page 3, line 30, overstrike "6." and insert immediately thereafter "5."

Amendments to SB 2154 EDUC 2/5/03

Page 4, line 11, remove "for the"

Page 4, line 12, remove "first year of 2003-2005 blennium"

Page 4, line 18, replace "For the second year of" with "Beginning July 1, 2004, the factor is that which represents"

Page 4, remove line 19

Page 4, line 20, remove "of the difference between 1.28 and the factor representing"

Page 4, line 21, after "category" insert ", as determined by the superintendent of public instruction"

Amendments to SB 2154 EDUC 2/5/03

Page 5, line 8, remove "for the first year of the 2003-2005 blennium"

Page 5, line 14, replace "For the second year of the blennium" with "Beginning July 1, 2004, the factor is that which represents"

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Operator's Signature

10-16-03
Date

3 of 6

Page 5, remove line 15

Page 5, line 16, remove "between 1.09 and the factor representing"

Page 5, line 17, after "category" insert ", as determined by the superintendent of public instruction"

Page 5, line 22, remove "for the first year of the 2003-2005 biennium"

Page 5, line 28, replace "For the second year of the biennium" with "Beginning July 1, 2004, the factor is that which represents"

Page 5, remove line 29

Page 5, line 30, remove "between .905 and the factor representing"

Page 5, line 31, after "category" insert ", as determined by the superintendent of public instruction"

Amendments to SB 2154 EDUC 2/5/03

Page 6, line 4, remove "for the first year of the"

Page 6, line 5, remove "2003-2005 biennium"

Page 6, line 10, replace "For the second" with "Beginning July 1, 2004, the factor is that which represents"

Page 6, remove line 11

Page 6, line 12, remove "percent of the difference between .95 and the factor representing"

Page 6, line 13, after "category" insert ", as determined by the superintendent of public instruction"

Page 6, line 17, remove "for the first year of the 2003-2005 biennium"

Page 6, line 23, replace "For the second year of the biennium and all succeeding" with "Beginning July 1, 2004, the factor is that which represents"

Page 6, remove line 24

Page 6, line 25, remove "the factor representing"

Page 6, line 26, after the underscored comma insert "as determined by the superintendent of public instruction."

Amendments to SB 2154 EDUC 2/5/03

Page 7, line 2, remove "for the first year of the 2003-2005"

Page 7, line 3, remove "biennium"

Page 7, line 11, replace "For the second year of the" with "Beginning July 1, 2004, the factor is that which represents"

Page 7, remove line 12

Page 7, line 13, remove "difference between 1.01 and the factor representing"

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Operator's Signature

10-16-03
Date

4 of 6

Page 7, line 14, after "category" insert ", as determined by the superintendent of public instruction"

Page 7, line 16, remove "for the first year of the 2003-2005 biennium"

Page 7, line 22, replace "For the" with "Beginning July 1, 2004, the factor is that which represents"

Page 7, remove line 23

Page 7, line 24, remove "hundred percent of the difference between .50 and the factor representing"

Page 7, line 25, after "category" insert ", as determined by the superintendent of public instruction"

Amendments to SB 2154

EDUC

2/5/03

Page 8, line 15, after the second boldfaced period insert:

"1."

Page 8, line 16, overstrike "the average valuation of property per student by dividing the"

Page 8, overstrike lines 17 through 31

Amendments to SB 2154

EDUC

2/5/03

Page 9, line 1, overstrike "4. Multiply the result determined under subsection 3 by" and remove "a factor"

Page 9, remove lines 2 and 3

Page 9, line 4, remove "this section in payments to qualifying school districts" and overstrike "The result is the"

Page 9, overstrike line 5

Page 9, line 6, overstrike "other amount provided under chapter 15.1-27" and insert immediately thereafter "a school district's average revenue per student by multiplying the taxable valuation of a school district by its general fund mill levy rate, adding to the product all county, state, and unrestricted federal revenue received by the district, adding all tuition apportionment payments received by the district, and dividing the total by the number of students in average daily membership in the district."

2. Using the calculations of subsection 1, the superintendent of public instruction shall also determine the state average revenue per student.
3. If a school district has a general fund levy of one hundred eighty mills or more and has an average revenue per student which is below the state average revenue per student, the school district is eligible to receive supplemental payments under this section.
4. In order to determine the amount of supplemental payments to which an eligible school district is entitled under this section, the superintendent of public instruction shall:
 - a. Divide the state average revenue per student by the school district's average revenue per student;

Yuberece J. Doe
Operator's Signature

10-16-03
Date

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- b. Multiply the result determined under subdivision a by the number of students in average daily membership in the school district; and
- c. Prorate the product determined under subdivision b for each eligible school district in relation to the total biennial appropriation for supplemental payments under this section"

Page 9, remove lines 24 through 31

Amendments to SB 2154

EDUC

2/5/03

Page 10, remove lines 1 and 2

Page 10, line 3, overstrike "b.", remove the overstrike over "Except as provided in subdivision", after "year" insert "b. for each year of the biennium", and remove the overstrike over "; the"

Page 10, remove the overstrike over lines 4 and 5

Page 10, line 6, remove the overstrike over "the district as of September", after "2002" insert "fifteenth of each school year", remove the overstrike over the overstruck period, and remove "Reimbursement to a school district for"

Page 10, remove lines 7 through 18

Page 10, line 19, after "e." insert "b.", after the second "the" insert "The", and remove the overstrike over "reimbursement under this section for each"

Page 10, line 20, remove the overstrike over "individual employed as of September", after "2002" insert "fifteenth of each school year", and remove the overstrike over "as a full-time equivalent"

Page 10, remove the overstrike over lines 21 through 24

Page 10, after line 30, insert:

"SECTION 6. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2004-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level of salary for the contract period equal to at least ~~eighteen~~ twenty thousand five hundred dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 8. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing reorganization bonuses under section 15.1-12-11.1 to school districts, for the biennium beginning July 1, 2003, and ending June 30, 2005. The superintendent of public instruction shall determine the eligibility of

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Operator's Signature

10-16-03
Date

Leaf 6

reorganized districts chronologically, according to the date on which each district's reorganization plan was approved by the state board of public school education. No reorganization bonus payable under this Act may exceed \$500,000. A reorganized district that receives a reorganization bonus under this Act is not eligible to receive additional reorganization bonuses based on future reorganization efforts for a period of ten years."

Renumber accordingly

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Y. Hernandez
Operator's Signature

10-16-03
Date

REPORT OF STANDING COMMITTEE (410)
February 5, 2003 9:39 p.m.

Module No: SR-22-1776
Carrier: Freborg
Insert LC: 38241.0110 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2154: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2154 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "15.1-27-37" insert ", and 15.1-27-39"

Page 1, line 4, after "compensation" insert "; and to provide an appropriation"

Page 1, line 10, replace "thirty" with "ninety-seven"

Page 1, line 11, replace "twenty-eight" with "eighty-nine"

Page 1, line 21, overstrike "Each district having under seventy-five students in average daily membership in"

Page 1, line 22, overstrike "grades nine through twelve is entitled to receive" and remove "for the first year of the 2003-2005"

Page 1, line 23, remove "biennium" and overstrike "the amount of money that results from multiplying the factor 1.625"

Page 1, line 24, overstrike "adjusted by", remove "eighty-five", and overstrike "percent of the difference between 1.625 and"

Page 2, overstrike lines 1 through 3

Page 2, line 4, overstrike "the per student payment provided for in section 15.1-27-04." and remove "For the second year"

Page 2, remove lines 5 through 7

Page 2, line 8, overstrike "2." and overstrike "at least seventy-five but fewer than" and insert immediately thereafter "under"

Page 2, line 9, remove "for"

Page 2, line 10, remove "the first year of the 2003-2005 biennium"

Page 2, line 16, replace "For the second year of the 2003-2005 biennium and all succeeding" with "Beginning July 1, 2004, the factor is that which represents"

Page 2, remove line 17

Page 2, line 18, remove "the factor representing"

Page 2, line 19, after "category" insert ", as determined by the superintendent of public instruction"

Page 2, line 20, overstrike "3." and insert immediately thereafter "2."

Page 2, line 22, remove "for the first year of the 2003-2005 biennium"

Page 2, line 28, replace "For the second year of the 2003-2005" with "Beginning July 1, 2004, the factor is that which represents"

(2) DESK, (3) COMM

Page No. 1

SR-22-1776

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Yuberaca J. Lee
Operator's Signature

10-16-03
Date

REPORT OF STANDING COMMITTEE (410)
February 5, 2003 9:39 p.m.

Module No: SR-22-1776
Carrier: Freborg
Insert LC: 38241.0110 Title: .0200

- Page 2, remove line 29
- Page 2, line 30, remove "difference between 1.24 and the factor representing"
- Page 2, line 31, after "category" insert ", as determined by the superintendent of public instruction"
- Page 3, line 1, overstrike "4." and insert immediately thereafter "3."
- Page 3, line 2, remove "for the first year of"
- Page 3, line 3, remove "the 2003-2005 biennium"
- Page 3, line 8, replace "For the" with "Beginning July 1, 2004, the factor is that which represents"
- Page 3, remove lines 9 and 10
- Page 3, line 11, after "category" insert ", as determined by the superintendent of public instruction"
- Page 3, line 12, overstrike "5." and insert immediately thereafter "4."
- Page 3, overstrike lines 16 through 19
- Page 3, line 20, overstrike "at least seventy-five but"
- Page 3, line 22, overstrike "c." and insert immediately thereafter "b." and overstrike "3" and insert immediately thereafter "2"
- Page 3, line 26, overstrike "d." and insert immediately thereafter "c." and overstrike "4" and insert immediately thereafter "3"
- Page 3, line 30, overstrike "6." and insert immediately thereafter "5."
- Page 4, line 11, remove "for the"
- Page 4, line 12, remove "first year of 2003-2005 biennium"
- Page 4, line 18, replace "For the second year of" with "Beginning July 1, 2004, the factor is that which represents"
- Page 4, remove line 19
- Page 4, line 20, remove "of the difference between 1.28 and the factor representing"
- Page 4, line 21, after "category" insert ", as determined by the superintendent of public instruction"
- Page 5, line 8, remove "for the first year of the 2003-2005 biennium"
- Page 5, line 14, replace "For the second year of the biennium" with "Beginning July 1, 2004, the factor is that which represents"
- Page 5, remove line 15
- Page 5, line 16, remove "between 1.09 and the factor representing"

(2) DESK, (3) COMM

Page No. 2

SR-22-1776

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Operator's Signature

10-16-03
Date

REPORT OF STANDING COMMITTEE (410)
February 5, 2003 9:39 p.m.

Module No: SR-22-1776
Carrier: Freborg
Insert LC: 38241.0110 Title: .0200

Page 5, line 17, after "category" insert ". as determined by the superintendent of public instruction"

Page 5, line 22, remove "for the first year of the 2003-2005 biennium"

Page 5, line 28, replace "For the second year of the biennium" with "Beginning July 1, 2004, the factor is that which represents"

Page 5, remove line 29

Page 5, line 30, remove "between .905 and the factor representing"

Page 5, line 31, after "category" insert ". as determined by the superintendent of public instruction"

Page 6, line 4, remove "for the first year of the"

Page 6, line 5, remove "2003-2005 biennium"

Page 6, line 10, replace "For the second" with "Beginning July 1, 2004, the factor is that which represents"

Page 6, remove line 11

Page 6, line 12, remove "percent of the difference between .95 and the factor representing"

Page 6, line 13, after "category" insert ". as determined by the superintendent of public instruction"

Page 6, line 17, remove "for the first year of the 2003-2005 biennium"

Page 6, line 23, replace "For the second year of the biennium and all succeeding" with "Beginning July 1, 2004, the factor is that which represents"

Page 6, remove line 24

Page 6, line 25, remove "the factor representing"

Page 6, line 26, after the underscored comma insert "as determined by the superintendent of public instruction."

Page 7, line 2, remove "for the first year of the 2003-2005"

Page 7, line 3, remove "biennium"

Page 7, line 11, replace "For the second year of the" with "Beginning July 1, 2004, the factor is that which represents"

Page 7, remove line 12

Page 7, line 13, remove "difference between 1.01 and the factor representing"

Page 7, line 14, after "category" insert ". as determined by the superintendent of public instruction"

Page 7, line 16, remove "for the first year of the 2003-2005 biennium"

(2) DESK, (3) COMM

Page No. 3

SR-22-1776

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10-16-03
Date

Page 7, line 22, replace "For the" with "Beginning July 1, 2004, the factor is that which represents"

Page 7, remove line 23

Page 7, line 24, remove "hundred percent of the difference between .50 and the factor representing"

Page 7, line 25, after "category" insert ", as determined by the superintendent of public instruction"

Page 8, line 15, after the second boldfaced period insert:

"1."

Page 8, line 16, overstrike "the average valuation of property per student by dividing the"

Page 8, overstrike lines 17 through 31

Page 9, line 1, overstrike "4. Multiply the result determined under subsection 3 by" and remove "a factor"

Page 9, remove lines 2 and 3

Page 9, line 4, remove "this section in payments to qualifying school districts" and overstrike ".
The result is the"

Page 9, overstrike line 5

Page 9, line 6, overstrike "other amount provided under chapter 15.1-27" and insert immediately thereafter "a school district's average revenue per student by multiplying the taxable valuation of a school district by its general fund mill levy rate, adding to the product all county, state, and unrestricted federal revenue received by the district, adding all tuition apportionment payments received by the district, and dividing the total by the number of students in average daily membership in the district.

2. Using the calculations of subsection 1, the superintendent of public instruction shall also determine the state average revenue per student.
3. If a school district has a general fund levy of one hundred eighty mills or more and has an average revenue per student which is below the state average revenue per student, the school district is eligible to receive supplemental payments under this section.
4. In order to determine the amount of supplemental payments to which an eligible school district is entitled under this section, the superintendent of public instruction shall:
 - a. Divide the state average revenue per student by the school district's average revenue per student;
 - b. Multiply the result determined under subdivision a by the number of students in average daily membership in the school district; and

- c. Prorate the product determined under subdivision b for each eligible school district in relation to the total biennial appropriation for supplemental payments under this section"

Page 9, remove lines 24 through 31

Page 10, remove lines 1 and 2

Page 10, line 3, overstrike "b.", remove the overstrike over "~~Except as provided in subdivision~~", after "year" insert "b. for each year of the biennium", and remove the overstrike over "the"

Page 10, remove the overstrike over lines 4 and 5

Page 10, line 6, remove the overstrike over "~~the district as of September~~", after "2002" insert "fifteenth of each school year", remove the overstrike over the overstruck period, and remove "Reimbursement to a school district for"

Page 10, remove lines 7 through 18

Page 10, line 19, after "e." insert "b.", after the second "the" insert "The", and remove the overstrike over "~~reimbursement under this section for each~~"

Page 10, line 20, remove the overstrike over "~~individual employed as of September~~", after "2002" insert "fifteenth of each school year", and remove the overstrike over "~~as a full-time equivalent~~"

Page 10, remove the overstrike over lines 21 through 24

Page 10, after line 30, insert:

"SECTION 6. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary ~~level of salary~~ for the contract period equal to at least ~~eighteen~~ twenty thousand five hundred dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 8. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing reorganization bonuses under section 15.1-12-11.1 to school districts, for the biennium beginning July 1, 2003, and ending June 30, 2005. The superintendent of public instruction shall determine the eligibility of reorganized districts chronologically, according to the date on which each district's reorganization plan was approved by the state board of public school education. No

REPORT OF STANDING COMMITTEE (410)
February 5, 2003 9:39 p.m.

Module No: SR-22-1776
Carrier: Freborg
Insert LC: 38241.0110 Title: .0200

reorganization bonus payable under this Act may exceed \$500,000. A reorganized district that receives a reorganization bonus under this Act is not eligible to receive additional reorganization bonuses based on future reorganization efforts for a period of ten years."

Renumber accordingly

(2) DESK, (3) COMM

Page No. 6

SR-22-1776

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

2003 SENATE APPROPRIATIONS

SB 2154

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2154

Senate Appropriations Committee

Conference Committee

Hearing Date 2-12-03

Tape Number	Side A	Side B	Meter #
1	X		2057-end
		X	0-360
Committee Clerk Signature <i>Sandra Davison</i>			

Minutes: Chairman Holmberg opened the hearing to SB 2154. A bill relating to School district per student payments, weighting factors for per student payments, supplemental payments and teacher compensation and to provide an appropriation. This bill was a rereferral from the Education committee. (Meter 2074) Joe Morrisette, OMB testified on behalf of the governor's office. See written testimony Exhibit 1 & 1A. He went through the bill section by section. (Meter 2701) Gloria Lokken, fourth grad teacher and President of the NDEA: See written testimony Exhibit 2. (Meter 3117) Joe Westby, NDEA: Supports this bill and gave written testimony and he summarized that data. (Meter 3737) Senator Andrist: The SB 2154 amendments address this equity - how does the NDEA feels about the equity? (Meter 3829) Joe Westby: The system is sound but lacked funding . He believes the equity is important however, teachers are going out of state. Equity and supply and demand continue to be a problem. (Meter 4069) Senator Andrist: As a point of clarification, equity is not reached a priority at a level that concerns you, given a choice. (Meter 4117) Joe Westby: Given the choice we believe the

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Page 2
Senate Appropriations Committee
Bill/Resolution Number SB 2154
Hearing Date 2-12-03

qualified teacher is more important. (4142) Senator Bowman: With the shortfalls of money, have you tracked other states and how they have addressed their deficits and how they deal with their money problems. (Meter 4270) Joe Westby: Around the country many states are dealing with deficits in their state budget and their association budgets, because the retirement investment programs have caused problems. I don't have specific data available from states that have a different type of economy than our state. (Meter 4386) Senator Mathern: What is your assessment of all of the moneys getting to the teachers? (Meter 4443) Joe Westby: I don't know - we did see the largest improvement of teacher's pay since 1980. Most of it got to where it belongs. (Meter 4550) Senator Christmann: Given the choice raising base wages in the low paid schools or increase base salary of the low end salaries or all teacher's salaries? (Meter 4719) Joe Westby: We try to do salary increase for all teachers. (Meter 4840) Bev Neilson, School Board Association: Supports SB 2154 and stated that the money should get to the place it is suppose to be. (Meter 4966) Larry Klundt, ND Council of Leaders: Believes that the foundation aid for pupil payment is not nearly enough in this bill. The first year should be at least \$2700 and the second year should be \$3,000. It would be more than what the governor's budget implemented. Stated that we ranked 34th for salaries for teachers in the US, we had more pupil payment at that time. (Meter 5370) Senator Bowman: of the 36th ranking for teacher pay, how do our kids test on the national average like in math and when we were 49th in teacher pay, did our test scores go way down? (Meter 5454) Larry Klundt: I believe that ND has always ranked pretty high in our testing, I don't believe there was any difference, in fact, I believe it went up. (Meter 5492) Senator Bowman: That is my point, a dedicated teacher is not worried about how much money they make. (Meter 5589) Larry Klundt: I agree that the teachers in ND do an outstanding job and

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10-16-03
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Senate Appropriations Committee
Bill/Resolution Number SB 2154
Hearing Date 2-12-03

are dedicated. ND can be proud of that and isn't it time we reward those teachers for that job.

(Meter 5682) Paul Stremic, Grafton superintendent: Supports this bill and asked that the money from mill deduct be placed towards supplemental payments. There was discussion on teachers compensation and I do not believe that create equity. I am not positive that placing money in foundation aid creates equity. There are a number of categories in the formula and if you look at the size of the school, different schools received different levels of funding. He spoke about his own school district. (Meter 5900) Dean Baird, ND Small Organized Schools: My organization has 115 state districts this year. He referred to page 1 of the bill and summarized his view for his organization. He has not seen a printout what this formula would do for his organization.

Tape 1 side B

Dean Baird: He feels that the one and a half million dollars to go back to foundation aid program rather than holding it up for reorganization bonuses. He supports going back to the original bill.

(Meter 162) Senator Krauter: Referred to the testimony Joe Westby handed out, according to the back page with the analysis, we have an history as far as what has been used of the reorganizational bonuses per biennium? (Meter 202) Joe Morrissette clarified the numbers.

(Meter 251) Senator Robinson: Question for the Department, what has happened to the remaining fund balance in the last year? How much of the new money that went into this area found its way to teachers salaries? Committee requested information from Joe Morrissette to be provided later in writing or verbalize. (Meter 396) Chairman Holmberg closed the hearing on SB 2154.

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10-16-03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2154 vote

Senate Appropriations Committee

Conference Committee

Hearing Date 2-18-03

Tape Number	Side A	Side B	Meter #
1	x		4299- end
Committee Clerk Signature <i>Sandra Davison</i>			

Minutes: Chairman Holmberg opened the hearing to vote on SB 2154. Amendments were proposed (38241.0207) and Chairman Holmberg explained them. They take the dollar kinds of issues, that have been discussed in SB 2013, and reconciled SB 2154 with SB 2113. (Meter 4299) Senator Christmann made a motion of a do pass for the amendment and Senator Bowman seconded.

Discussion continued with Chairman Holmberg explaining the changes that the amendment include. (Meter 4416) Senator Robinson asked about the bill that is under consideration is the first engrossment .0200. Roxanne Woeste says yes. (Meter 4563) A voice vote was conducted with all in favor, all yeas. Amendment passed.

(Meter 4575) Senator Thane also proposed an amendment (38241.0203) and explained his amendment clarifying the increases of the teachers salaries. Senator Thane made a motion to pass this amendment with Senator Christmann seconded. A voice vote was taken and also passed.

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Page 2
Senate Appropriations Committee
Bill/Resolution Number SB 2154
Hearing Date 2-18-03

(Meter 5275) There was a motion of a DO PASS AS AMENDED (both amendments adopted) by Senator Thane and a seconded by Senator Kringstad. The bill passed with a vote of 12 yeas, 0 nays, and 2 absent. Senator Freborg from the Senate Education committee to carry the amendments and the bill.

Hearing closed to SB 2154.

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10-16-03
Date

38241.0203
Title.

Prepared by the Legislative Council staff for
Senator Thane
February 11, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2154

Page 10, line 20, replace "twenty" with "twenty-one" and overstrike "five hundred"

Page 10, line 23, replace "twenty-one" with "twenty-two"

Renumber accordingly

Page No. 1

38241.0203

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10-16-03
Date

38241.0207
Title.

Prepared by the Legislative Council staff for
Senator Holmberg
February 18, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2154

Page 1, line 11, replace "five" with "six"

Page 1, line 12, replace "eighty-nine" with "nineteen"

Page 10, line 30, replace "\$1,500,000" with "\$2,000,000"

Page 11, line 1, after "15.1-12-11.1" insert "and joint powers agreement incentives"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the per student payments for the 2003-05 biennium provided for in North Dakota Century Code Section 15.1-27-04 to \$2,497 for 2003-04 and \$2,619 for 2004-05 to coordinate with state school aid funding provided for in Senate Bill No. 2013. This amendment also changes section 8 of the engrossed bill to provide a \$2,000,000 appropriation from the general fund for reorganization bonuses and joint powers agreement incentives.

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10-16-03
Date

38241.0208
Title.0300

Prepared by the Legislative Council staff for
Senate Appropriations
February 18, 2003

JE3
2-18-03

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2154

Page 1, line 11, replace "five" with "six"

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Page 10, line 20, replace "twenty" with "twenty-one" and overstrike "five hundred"

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Page No. 1

38241.0208

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10-16-03
Date

RFI 0207
Amendment 0
Ch. - Bowman
VOICE VOTE
passed

Thane
proposed
0203
Thane-Christman
voice passed

Date: 2-18-08
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Thane Seconded By Charles Kringstad

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair					
Senator Andrist	✓				
Senator Christmann	✓				
Senator Kilzer	✓				
Senator Krauter					
Senator Kringstad	✓				
Senator Lindaas	✓				
Senator Mathern	✓				
Senator Robinson	✓				
Senator Schobinger	✓				
Senator Tallackson	✓				
Senator Thane	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Freeborg Education

If the vote is on an amendment, briefly indicate intent:

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10-16-03
Date

REPORT OF STANDING COMMITTEE (410)
February 18, 2003 5:01 p.m.

Module No: SR-31-3178
Carrier: Freborg
Insert LC: 38241.0208 Title: .0300

REPORT OF STANDING COMMITTEE

SB 2154, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2154 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "five" with "six"

Page 1, line 12, replace "eighty-nine" with "nineteen"

Page 10, line 20, replace "twenty" with "twenty-one" and overstrike "five hundred"

Page 10, line 23, replace "twenty-one" with "twenty-two"

Page 10, line 30, replace "\$1,500,000" with "\$2,000,000"

Page 11, line 1, after "15.1-12-11.1" Insert "and joint powers agreement incentives"

Renumber accordingly

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2003 HOUSE EDUCATION

SB 2154

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2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. SB 2154
House Education Committee

Conference Committee

Hearing Date March 11, 2003

Tape Number	Side A	Side B	Meter #
1	x		00-end
1		x	00-end
2	x		00-1418
Committee Clerk Signature <i>Linda Guentner</i>			

Chairman Kelsch opened the hearing on SB 2154.

00-500 Joe Morrissette, Assist. Executive Budget Analyst, OMB, See Attached Testimony

Rep. Williams Section 4, What was the rationale for the changing supplemental equity payments?

Morrissette: I think someone else here from Fargo can better answer that, I can only speak to the executive budget.

Rep. Herbel Sec. 5, Teachers Compensation, is there any concern in the Governor's office that with the lawsuit, that the teachers compensation package can widen the gap on equity even more?

Morrissette: The Lt. Governor can better address that question.

Rep. Mueller In Sec 2, We combine the smallest categories of high schools, is that something the Governor requested in his initial budget? **Morrissette:** No it was not.

654 Lt. Governor Jack Dalrymple, Governor's Office

I would like to make two picture points first about this bill. The Governor's office feels very strongly that there are two things that are highly important about this bill. The first is that the

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House Education Committee
Bill/Resolution Number SB 2154
Hearing Date March 11, 2003

money that was recommended by the Governor needs to be restored to this bill. There has been a lot of talk about the philosophy of the teachers distribution versus per student distribution. And that is also important. But the funding level is primary. I have a run here that was done of the Senate version of this bill and the amendments. But going through it carefully, what it shows is that under the Senate version, 117 schools will receive less money than what they received this year. I hope that is not the way the Legislature wants to leave this piece of legislation. I don't think I have to say to you the kind of difficulty that it will cause schools as they try to meet their needs going forward. So first and foremost, the 11.5M at least and probably a couple of million more really needs to be restored to this bill.

Second point is, of the funds that are added to this bill by the committee, we feel very strongly that a significant portion of it, if not all of it, needs to be targeted to teachers compensation. We have made a tremendous amount of progress in the last couple of years improving the level of teachers comp in ND. For the first time in 30 years. We don't want to lose those gains, we don't want to lose the momentum. We need to continue to make progress, even if it is much more modest than what we have been able to accomplish in the last couple of years. And the only way that that you are going to be sure that it does happen is to use some kind of a per teacher distribution. Or at the very least, take some foundation aid and create some kind of incentive with those dollars to put money toward the classroom, toward the teacher. I think both of those things are very important. I think all of the state and Legislature is relying on this committee to take care of that. A couple of secondary points about the bill as it stands right now, we do feel that the supplemental payment plan should return to our existing statutory formula. To answer your question, Rep. Williams I think that the department wanted to include some how in statute a list

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House Education Committee
Bill/Resolution Number SB 2154
Hearing Date March 11, 2003

of revenue categories that would show that we are taking all revenues into account, some how in one of our formulas. In place of that what we currently use now is a test of spending per pupil.

And we take spending as a reflection of resources available. If you have income from property, oil and gas, you are going to spend it on the kids. That shows up very cleanly and clearly in the dollars expended per pupil. We've looked at the runs of both formulas, they are not that different.

I think you will find that if you look at it carefully, the old formula does work a little bit better.

There is a technical problem potentially with the bill right now. The Senate is continuing the 3K per teacher distribution carried over from the prior biennium. I think we need to check the

language and make sure that the 3K distribution is made without any conditions. The language might carry over and appear to require further compensation increases in order earn that. And I

don't believe that was the intent of the Senate. As far as weighting factors go, we are very

pleased with the Senate, for the first time, has agreed with some of your work from prior sessions

in regards to improving equity in weighting factor categories, and not only in the getting to the

actual cost per pupil, but also in combining a couple of categories. those are good equity moves. I

would encourage yo to look at them carefully.

Rep. Herbel has there been some discussions on the equity issue such as teacher compensation?

Or are you suggesting that put it into Foundation Aid then require a certain portion of it to apply to the salaries of the teachers.

Dalrymple: I had better choose my words carefully here. We continue to favor the per teacher distribution, however we realize there is not a consensus out there on it, and I think we are going to be asking our associations to try to find a compromise, a middle ground, that will accomplish what we are after. We are willing to look at that and compromise as well. When it comes to the

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10-16-03
Date

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House Education Committee
Bill/Resolution Number SB 2154
Hearing Date March 11, 2003

equity question as it related to teacher distribution, I think the argument that had by equity is really exaggerated. If you compare a straight foundation distribution to a per teacher distribution you may find a slightly more of the so called core districts, benefiting from foundation aid but it is not a significant difference in the amount of dollar difference is truly insignificant. The one think worth discussion is the teacher distribution is not equalize by the mil levy deduct. That is something you could do if you wanted to achieve approximately 10% more equalization, then what you would have under full foundation aid. Again, I don't think you would find a that there is a huge difference, it can be done, you can do it in this committee. I think it is a pure policy question on whether you want to do that, of course the Senate is raising the mil levy deduct, which is another means of going in the same direction, probably has more of an effect actually.

Rep. Williams I need to clarify a point here, the teachers compensation or the Governor's office would like to have some quote "mechanism" to make sure that teachers are getting an increase in compensation.

Dalrymple yes, I think that is fair. Some of this money needs to be targeted to teachers compensation, there needs to be incentives of some kind that will give school boards a clear incentive to go in that direction. Otherwise, we are going to be loosing the ground that we have already gained.

Rep. Jon Nelson As I look at this, lets use schools 75 and under, we eliminate the weighting factor from 1.65 down to 1.335, we go to 100% of the 5 year average added to that, in that class of schools today, everyone of them are suffering declining enrollment. If we target money to teachers compensation generally speaking, there will be zero less teachers next year. It appears to me that the significance of the dollar amount, so the schools going to go down under that

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10-16-03
Date

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House Education Committee
Bill/Resolution Number SB 2154
Hearing Date March 11, 2003

scenario. Yet under compensation it will increase, to me that will widen the gap of equity significantly, I have not seen a run on that, but to me it would be very close.

Dalrymple; You bring up a couple of very good points, as you try to do certain things for equity you are going to adversely affect some districts. And there are some unfortunate districts that may have two or three of these things hit them. And then on top of that you create the compensation incentive, and now you have a financial squeeze, the answer to that problem is more resources. That is why it is so essential that we put 13-14M back into this bill. that is the only thing that can heal up that problem.

Rep. Sitte Teachers salaries in ND are ranked between 20K to 73K a year. We also hear last week that not a single graduate of the University of ND took a teaching job in ND. The starting salaries for our teachers are so low. All of us would agree that we want to pump more money into teachers salaries. But I think we are going to have a real tough sell with the general populus of ND in tough economic times giving an addition 1500 to someone who is already making 73K. Would you not agree?

Chairman Kelsch We have to remember that the numbers we received, that data was not accurate data. We did not have the beginning teacher salary, it excluded that and there was also some top level, like counselors and professional, and administrative positions that were included in the top numbers. We don't have schedules in the state of ND that go beyond 53K. Those numbers were given to us, and while it was a good piece of information, it didn't include first year teachers. We need to get those now and have accurate information.

Dalrymple; the debate that rages on forever about whether these pay packages are adequate or not adequate, and I think it will continue. But what I say to people, there isn't anyone who is

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disputing the fact that we are 50th. And we are going to continue to be 50th so that fact speaks for itself.

1830-2212 Gloria Lokken, NDEA, See Attached Testimony

Joe Westby, NDEA

I know you are aware that ND's population problems continue to erode, its most valuable resource, our young people. Including young and not so young teachers. At the start of this school year 31 school districts recorded 61 unfilled positions, Even our largest districts fill difficult to fill positions with retirees returning to work. That of course is a temporary fix to that problem. We face a potential serious problem of retention and recruitment of our teachers I our state due to out migration, future retirements and the highly qualified provisions of ESPB. And in addition to that the general feeling of being under appreciated by the Legislature, school boards, and the administration in school districts. The ND Senate has added to that feeling by stripping the teachers compensation money from 2154 and 2013. As Gloria mentioned the teachers salaries have dropped from 30th in the nation in 1983 to 50th today and have remained there for the last 12 years. Either 49th or 50th. Progress was made after the enactment of HB 1344 in 2001, but we have a ways to go. Moving salaries out of the cellar into the light of day will take more than a one time effort, it needs to be sustained over several Legislative sessions if we are to retain and recruit teachers to fill our classrooms in the years ahead. A top quality education system is ND is the best foundation for economic development this state can have. Much has been said about the efforts to attract new industry with job creation as the hope of the future. That can only be done, I believe, if we can demonstrate a willingness to place quality education at the top of our list of priorities. ND Could become an attraction for industry by marketing itself as the state with a

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premier system of education. A place where people want to live because their children will receive the best education in the country. We have the space, we have the dedicated people, we have the work ethic that is admired across the country. Marketing that concept to the world can help bring industry, people and prosperity to the plains again. People came originally because they saw opportunity, we must plant that seed in the minds of the world again. Educating our folks and publishing that we have the best education system in the country may very well attract them. While ND ranks near the top in performance now we can not afford to erode that performance. ND students desire an education that will allow them to compete in a high competitive world. To do that we need to retain and recruit highly qualified teachers. Will we continue to provide our students with a high quality education that we traditional had in ND. Our students can not afford to settle for less than their counterparts in other states. We need to stop the out migration of teachers as well as other folks. We need to sustain the hope for teachers and students and we need to restore the funding for improving teachers compensation in SB 2154.

2600-3415 Reviewed the data on the handout on salaries for teachers in ND. There are no other positions in this data, or supplementary pay. This is based on a 9 month school year.

Rep. Mueller Someone made reference earlier to do with some lesser compensation package that may have to do with requiring districts to use some of the foundation aid payments to go to the teachers. Have you thought at all about that, is that something that you see working in this situation?

Westby: Yes we have talked about it, obviously we would prefer the mechanism that was started two years ago. We heard all of the equity debates and the threat of lawsuits and of course that has been going on for twenty or more years. In 1986 to 1988 we hired a school finance expert to

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come into ND to analyze our funding system and determine what we needed to do to improve it.

His basic conclusion was the funding formula is basically sound it lacks in two categories. 1) is seriously under funded, that exacerbate equity. 2) it does not have a high enough mil deduct to really guarantee an equitable distribution of the money. Those were his two recommendations. If you want to improve equity put a whole bunch of new money into the formula and you need to look at increasing the mil deduct. Neither one of those two things have happened and when that doesn't happen then I think the equity problems get exacerbated over time as we continue to try to improve the funding of schools but we don't put enough money into the formula. Now I don't know if you can write a totally 100% equitable distribution formula, you can minimize the inequities by certain things that you do with it, But when you under funded it, then the inequities that are built into the formula are get exacerbated.

Rep. Hawken: 2 questions 1) Do you consider benefits when you look at these things? and 2) does that make a difference when you include the benefits?

Westby: We attempt here to compare apples to apples. I know you have seen all kinds of numbers that include salaries, benefits, refereeing pay, school district chair of retirement and social security and unemployment comp, and all of that. You have seen numbers that talk about total position cost dollars. This is salary only.

Rep. Hawken: That is fine to have that, but do you feel that it is something that should be looked at as teacher compensation.

Westby: I agree you need to look at the benefits as well, because benefits do affect total compensation. And there is considerable variance in benefits from school district to school district. That is why we are not trying to deal with that here because we simply want to look at

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salary numbers. These are dollars that you can put in your pocket and go to the grocery store to buy bread and milk. The other fringe benefit dollars are valuable and they of course have a dollar value that is perhaps greater than salary dollars, so we encourage our people to negotiate for improved fringe benefits. We think they are an important part of compensation.

Rep. Jon Nelson 2003 budget, lets assume we can restore the money to the k-12 budget that was dropped out. I know your desire for teacher compensation increases, if we do that with the 5M in supplemental payments, that stays in tact. We fund the teachers compensation. Do we walk away from this session in a better or worse position with equity, given the total number of dollars we have been talking about?

Westby: I know that the Lt. Governor talked about that very thing, and he mentioned that at the very best it would have a 10% effect and I think he may be right about that because the money that was put into teacher compensation last time really only impacted about 10% of the total funding that school districts received. So it was diverted away from teachers compensation into foundation aid, I would assume that his 10% number is really close.

Rep. Williams If we do not add to this bill, and . . . foundation aid and at the same time we raise the mil deduct, are we doing anything for equity?

Westby: Increasing the mil deduct helps in equity. Also does something else, without significant improvement in total dollars put into the package it is going to hurt some of the smaller, rural districts that would have to deduct a greater amount of their foundation aid payment or it would be deducted for them by the Department of Public Instruction. So potentially, 117 schools were going to have less money, so it works in reverse.

Westby: Rep. Mueller question earlier, he was asking about whether or not we would be willing

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to look at some other mechanism. We have had conversations about that, we are very much interested in not exacerbating equity but finding a mechanism to improve teacher pay while we distribute the money out to school districts. So are we willing to look at some middle ground, the answer to that is yes. But we want to find some way to get more money to teacher pay.

Rep. Williams I have a very deep concern. The way the mils go up 36/38 then two mil there after. We will become more reliant on property taxes to fund education and we don't know 2 years- 4 years down the road what the state is going to put in for general fund dollars. This bill worries me because of the reliance on property taxes and the mil levy.

Westby: Our reliance on property taxes worry me for the last twenty years. and that problem has gotten worse over time. Back in 1983, we were funding schools at about 63% from the general fund now we are down to 42%. Which has caused the action of local school districts to have to increase mil levy and property taxes and along with increasing property valuation, you have taxes go up dramatically. I think that has been a big debate in this session.

Rep. Herbel The way I look at it with the mil deduct, with taking 4 mils the first year and then 2 there after. My grandchildren will probably not see equity based on that. Where do you sit, Joe on the mil deduct to effect equity.

Westby: I think I talked a little bit about the impact of increasing mil deduct on equity as the finance experts say that improves equity, you are probably right that your grandchildren won't see equity at that rate of increase on the mil deduct. It perhaps has to be much more rapid. We are worried about when we increase the rate of which we take money away from schools without putting the dollars back in at the top so that they are funded adequately. The real problem in this state is lack of adequacy of funding. That is where we need to look, we need to look at how are

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we going to put more money into schools budgets to heal up some of those inequities.

Chairman Kelsch Please to see what the exact effect on salaries, not benefits. Because I want to see if what we did last session actually worked. The second comment is, I don't care if we are ranked 50th in nation, because I think that is where we are going to stay. What I am concerned about is that we are progressing and we are moving forward. My concern is that we have data where we are the 48th largest state in the union, we are ranked 1st as far as population loss, and so I think it is unfortunate when we look at salaries like this across the board. We have low salaries. But as long as we make progress and continue to move in the right direction. That is more important than the actual ranking. Thank you for coming in and saying you are willing to compromise, I really appreciate that.

5123-5703 Mark Lemer, Business Manager, West Fargo Public Schools, See Attached Testimony

Chairman Kelsch page 1 , when the Senate amended SB 2154 to transfer 'new' teacher compensation appropriation to foundation aid, page 2 last paragraph assuming that there... foundation aid. In other words, am I understanding you Mark, you don't want any money in teacher compensation.

Lemer: Our proposal on the school districts, that we need the flexibility with those funds. That is not to say the funds won't be used to fund teachers salary and benefits. Historically, teachers compensations are increasing at a rate that exceeds the amount of money that is placed in Foundation Aid. The teacher compensation program however, requires a specific way on how the money are spent. And we have as a district, chosen over time to give benefits to our teachers that may or may not be in the form of cash. For example: Our teachers have asked to have duty free

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noon hours, in order to take them off of the play ground it requires people to replace them.

Where does the money come from to hire those people, it came from the district budget. Was that a benefit to our teachers, absolutely. Did it increase the cash in their pockets, no.

Rep. Williams The mill deduct, is either put into the bill or it is put in the bill and the state does not have the new money. You went through this mill levy deduct and analyzed it relative to the state appropriation. 12-14M shortfall in the bill.

Lemer: Correct. The question comes down to semantics. The Senate transferred the teacher compensation money to foundation aid and they also increased the mil deduct, and those two things have about an equal dollar value in terms of the appropriation.

flip tape It is one or the other, the sequence of events is such that the way it actually transpired, the compensation money became foundation aid and the mil deduct came in later. It is semantics.

Rep. Williams We are talking originally there was 8M in foundation aid.

Lemer: My numbers showed about 4M.

Rep. Williams Plus the 13-14.4M, when we get all done with this, with the mill deduct money in there some how, the Senate made some cuts, how many dollars are?

Lemer: If you consider 4M in foundation aid and 14.4M in teacher compensation, that is 18.4M.

There remains about 5M in foundation aid. Although there was some other juggling of dollars.

Those two programs, it is 5M now and they were at 18.4M in the executive recommendation.

(300-730) Dean Bard, ND Small Organized Schools, See Attached Testimony

Rep. Mueller Lt. Governor spoke of 117 schools that will loose money. In the circumstances that you just outlined, will all of you 115 schools be in that category.

Bard: Most of them will be, I have seen that list. The list I saw took into account the 36 mil

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deduct and what that would do as well, it is not just limited to this bill. I would have to say the bulk is in the category.

Rep. Jon Nelson When you did your analysis on the mill deduct increase, did you roll the money back through higher foundation aid payments or did you just take the loss through the local districts and leave it at that?

Bard: I didn't deal with the 36 mill deduct here, with the figures that I gave you.

Rep. Jon Nelson I realize that, you do mention the mill deduct increase in your analysis. As I see it, our situation is this, we have a group of school districts that are suing the state of ND because of equity. The schools that you represent are the poster children for why they have a good case. What do we do to become more equitable if we don't change anything?

Bard: I didn't understand your question right. I think and I have to follow what my good friend Joe Westby just said when he was up at the podium, the problem is more money. It is not possible to provide equity and still provide a sound educational program without putting more money into the top. The trouble is the more you raise the mill deduct, the more school districts have to rely on local property taxes to fund their program. And they get to a point where they come up against the wall, because the mill levy restrictions and populus won't take any more. Because of those difficulties, they have to cut programs. And we are always saying we want smaller schools to offer more in terms of programs, and believe you me if they had the money they would do it. But the problem is when you keep raising the deduct it forces them to go to their people for more money and they can't get it. More money in the top, then you can raise the deduct, we would be happy with it.

Rep. Jon Nelson You know as well as I do the pot is only so big in this session. I like to

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think when I go to my financial lender for money and in my farming operation there is endless possibilities on the kinds of crops I want to grow. But I do know I can't put down my banana crop as making it in ND, just like putting more money into the top of education.

Bard: Fine then don't take it out on the bottom in the mil deduct. You can't do both, you will have to do one or the other. If you want more in the deduct and you want good educational programs at the local level in rural districts.

Mike Connell, Superintendent at Wahpeton Public School, See Attached Testimony

I would like to speak on the impact of this bill on the Wahpeton school district and point out what seems to me is a flaw in how it treats a school like ours. If it increases foundation aid, sustains but does not increase teacher compensation and changes the mill deduct. On the first page where I have 'Impact of SB 2154' under expenditures, section 6 of this bill, under annual minimum salary amount that language increasing or setting the minimum salary at 21K in our school district means increasing our base pay from 20,100 to 21,000. The cost of that in new expenditures, exceeds 200K for that transaction to happen. II. State foundation aid, under this bill increasing the states foundation aid taking declining enrollment as per Department of Public Instruction printout gives us 8,175 in new revenue. And at the end of the biennium there is supplemental payment of another 12K. For budgeting purposes it provides us with 8,175 and mandates us exceeding 200K. Last week in talking with some of our Legislators about this some pointed out III. It is going to cost you the local property taxes to make up that amount of money. No it is not. That is not going to happen. Ever since the event of Dec. 5, 1989 our school district has been at the cap of 185 mills. We don't have the latitude to increase our mil levy if we wanted to. The only way we can generate new money through property taxes is to change our taxable

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valuation. In the event that our taxable valuation increased a 1/4M dollars, for next year it would only give us 46K in new revenue. I can't make that amount of money pay for those increases in expenditures that this bill requires. This bill probably doesn't create this problem for all school districts, why is it so devastating. On the next page. Wahpeton school is low base, high benefit compensation package for our teachers. What are our salaries, base is 20,100, 18 steps on the schedule, index is at 1.99, in other words when you put 100 on the base the people that are your highest paid people on the other end, costs you 200. Benefits that we provide, health insurance policy at 100% paid by the district, not a penny taken out of the check, it costs the district 422K just for the teachers. What is the cash value of that if they have to go out a purchase it, the family value is 6,521 for each teacher that has a family. No. 2 Teacher Retirement Contribution, we provide that as a benefit also. The district pays both the Employer and the Employee share of TFFR totaling 301,652 for the district. A teacher at 20,100 in reality is 21,789, a teacher at 35,000, reality is 37,713. There was talk earlier that benefits do not put bread on the table, that they are different then salaries, that statement is true if you want to talk about life insurance. That statement is not true for this benefit, because this benefit puts dollars and cents in the pockets of teachers. How does it do that, when you look at a pay stub, if this wasn't provided free, then there would be a deduct from the net pay, less take home pay. It is better than cash because they are not taxed on it. No. 3 We do some other things for extra classes and study hall they are paid extra for their efforts. This benefit package ranks 4th out of 192 district. It is very good. Our teacher experience profile on Exhibit B, we have 105 teachers, 58 have 18 years or more of experience. Exhibit D, in our case at least we are spending the money that we are getting. You don't see any revenue spikes in hear. Our expenditures and our revenues are in line. Exhibit E,

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our budget is 8.5M the majority of the budget is spent on instruction. Exhibit F, how come in some schools are accused of carrying too much money at the end of the fiscal year? That is our fund balance, it is 12.8%, we have a goal in our district to have between 10-15% of the budget at the end of each fiscal year. And so far we have been able to do that. We need that to cash flow until the property taxes are received the second half of the year. In summary: The whole problem here is the system is under funded. But if we are going to get into the business of setting minimum salaries and we are not going to fund them, I would ask that you take into account the complexities of these various teacher compensation packages, like ours. And take into account the money we are spending on other benefits.

Rep. Mueller You have an interesting graph here that has to do with your teacher profile. Are you not looking at a major issue here in a short time, in regards to those leaving the business?

Connell: We talk about it all the time and the concern of the low base and the need to increase that. We do hire some teachers right out of college, but in our system we give experience time coming in. We bring people in at all facets of our schedule, we don't bring them in at the bottom.

Rep. Mueller Given that it would seem that the people that are represented in the blue line will be gone, which that point in time, you will have a attractive package down here at the bottom end. But still you will have to find some incentive for teachers to come to your system. Point being here, the base salary may be a concern for you in the near future.

Connell: The way it is structured, it is very expensive to put money in at the base.

Rep. Jon Nelson This is one of the most comprehensive analysis I have seen, I appreciate this.

One thing I question is the tracking of your valuation in the past few years. Has that been steadily increasing and what has been happening?

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Connell: We are very fortunate in that our tax valuation has seen health grow nearly every year.

Rep. Williams Since 1982, a 41% valuation increase.

Rep. Hanson Do you have an early retirement incentive. **Connell:** Yes we do

Rep. Hanson How many people take advantage of that? **Connell:** Our policy is the Rule of 85 to eligible to take 70% of your current salary, the second year it is 65%, and so on.

Rep. Hanson How many people in your 18 plus are going to take that or stay on?

Connell: We have a number of them that are eligible now and have chosen not to, they take it before it expires, somewhere around 30%.

Jennifer Montgomery, Teacher of English/Journalism at Bismarck High School

I just wanted to speak in favor of restoring that funding to this bill. In hearing so much about NCLB, we loose face of the student. And in funding teacher compensation, we loose sight of the individuals that are affected. I want to give you the opportunity to hear what this means to me as an individual and my colleagues. I came back last week from interviews for the National Teacher of the Year. I am very fortunate to have some interesting experiences with that. And one of the questions that was asked of me was "What would you do to attract young people to the profession of teaching." I had a three part answer. But one of those was that teachers salaries just need to be better, and I gave them where I am at. I've been teaching in the Bismarck Public Schools for nine years now and I have two bachelor degree, a masters degree, and National Board Certification. Which is the very highest professional certification a teacher can achieve. And I have not yet reached 35K on the salary schedule in Bismarck, ND. When I said this there was a sort of audible intake of breath by people who are accustom to very high salaries. I agree with Chairman Kelsch that it is not necessarily helpful to talk about how we rank, because we have

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some special circumstances, and I understand that. But one of the things that I didn't say, it has been felt by teachers that there has been a real conscious effort this session on the part of some lobbyist and even so legislators to misrepresent what teachers are getting. And it was in the Tribune one day that teachers are getting 58K in Bismarck. Wow! I missed the gravy train. I can't get 40K in Bismarck, until I have been here 17 years. So if you think of the circumstances, the education the accomplishment, the things that I have done to put myself in a position of receiving what I would call a fair wage, it feels like I can't do that in Bismarck, ND. When those figures of 58K were being floated, we was very demoralizing because one of the things that was included was extra duty pay. I ask you to think of that, you get a little bit of a stipend as a Legislature, take that money and any moon lighting that you do and add it to the salary of your main job and that is what you are getting at your main job. I advise the student newspaper, that is extra time it is a tremendous amount of time, people who take tickets, coach, that is not a part of their base salary. So please when you are considering this please think of the base salaried, please don't be dazzled about some of the numbers that are being floated that don't have nothing to do with what a teacher is actually paid. Even the benefits discussion, benefits are important, but anyone who is in a professional position receives benefits. So when we are singled out and every possible dime to go to someone who has a teaching certificate is calculated for our total salary. When you are considering what to do with funding, and I understand it is a very difficult position here in ND, please ask people in your district, teachers you know and admire and respect, what they are getting for a base salary. Please think about what it costs them to live and cost them to have a family. And whether ND can realistically can expect to attract and retain teachers who do really great jobs for kids in classrooms in ND. We are hitting a point where we need younger

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teachers, I have to be able to say to a young student in one of my classes that they would make a great teacher. To be a teacher in ND it is so rewarding. I want to be able to tell them that and feel good to about knowing that they could raise a family here and have a life here.

Rep. Jon Nelson Benefit package was a request from the teachers association and the teachers, because many of the component are not taxable. It was even done for the benefit of the teachers. Now they found themselves in a bind because they are a very low base but they have one of the highest benefit ratio. They put themselves in a box to attract new teachers and for the staff they have I am sick and tired of hearing of school boards and administration getting vilified across this state because of keeping teachers at a low wages. And so many cases they have done it to benefit, and create tax shelters for staff people. All of that stuff has been on the table it has been bargained. Now it comes back and haunts us, I think it would be recognized also that administration and school boards have been trying to work within the budget constraints to make better life for educators. And use the tools that they have to do. that needs to stop.

Montgomery: I agree that the packages that have been created are a part of a collected bargaining agreement so there is definitely responsibility on both sides. I would ask you what when all of those numbers are put together even with the benefit package, are those the wages that you want for people with advanced degrees who have incredible impact on your children and your grandchildren. There is a tremendous amount of research that say teachers impact student achievement. If you believe that when you do those total packages and you compare them. Those people have degrees, they have experience and they have an incredible amount of responsibility and can do incredible things. So for teachers to have to apologize about feeling that an average pay of 33K is unreasonable. I won't do it. What it comes down to is what is best for the kids in

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classrooms, they need highly qualified teachers.

Chairman Kelsch we knew where you were last week, it was reported to the committee. We wish you good luck!

Rep. Sitte When we look at this whole realm of salary schedule and we have some teachers making triple, in many cases, what those beginning teachers are making. And we all agree that we need to attract young teachers to this state, and that is one of the biggest issues in the years to come. Do you see the collective bargaining negotiators making any headway at maybe decreasing the task and increasing the base, what would be your interpretation?

Montgomery: I think that is an excellent question and a very important point. I joined the Bismarck Education Association Bargaining Team a couple of years ago. And that is very important to me. I think one of the things that has happened, teachers who are near retirement age have been working in a climate in the US where you stay at your job and then you stayed there. People would retire with a gold watch and the celebration and so for. The world has changed, I think that negotiators for teachers in School districts have to recognize that, the fact that are salary schedules are 25-26-27 steps long does not work. In Bismarck we started to shorten our schedule. We distributed equally to all teachers instead of having that factor that the teachers with the most experience get the most money. The people at the bargaining teams have been the ones with the most experience, historically, and so it is important to me as a a young teacher to shorten the schedule, to make the profession more appealing to young people who don't feel like they can wait 25 years to get to the top of the salary schedule.

Bev Nielson, NDSBA, handout and See Attached Testimony

Rep. Mueller On the last page of your printout, I would appear to me that we are X number of

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dollars here in this current biennium. The last column represents a 4M dollar decrease. Are we to understand from that, SB2154 and its components result actually in less total dollars coming out to those schools to the tune of about 4M.

Nielson: That last line is a printout is what Dan Hoffman has to explain to you.

Dan Hoffman, Fargo Public Schools

I can answer questions about the handout and give you the rest of my testimony on 2182 later.

Chairman Kelsch If you could explain the 4M dollar decrease.

Hoffman: I think in reality the number is going to be some where between that decrease a minimal increase. And let me explain that to you. What I did with that last column is I took the actual payments that school districts are receiving this year and compared that to what Department of Public Instruction is suggested we would receive in the first year of the next biennium. Including the changes in the mil deduct and the adjustments in the weighting factors. The unknown in all of this is still what is the actual per pupil payment for the first year of the next year is going to be based on. Is going to be based on fall enrollment or based DDM. So I think to answer your question that in reality it is going to be somewhere between a minimal increase statewide and that 3.9M decrease. It is impossible to estimate with any type of accuracy at this point in time, What school districts are going actually be receiving a per pupil payments. I choose to take the numbers that Department of Public Instruction had been providing to you before and provide you with another comparison of actual payments for this year and to propose payments for next year.

Rep. Mueller Variables that you just referenced, lets assume the number that you put together here is correct, and we don't that to be the case. In essence, if I am reading this correctly, we are

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4M less on state expenditure given this scenario then we would be under the current system. Am

I seeing that correctly?

Hoffman: Yes. If every school district was paid on the numbers that Department of Public Instruction estimated for the first year of the biennium, that is correct. I think there are school districts that will be paid on numbers higher than that, because we don't know exactly what our fall enrollment is going to be yet. In the past we have always provided to you as a Legislative body some assumptions in the increased of the per pupil payments, that in my opinion have consistently over estimated the increases to us when you go back. The format that has been provided by the Department of Public Instruction isn't necessarily an attempt to measure what the individual impact on every school district is going to be. It is what does the impact of the philosophy change in the formula have in more broad terms. If you looked at Fargo, they have a line across it. Department of Public Instruction has us proposing that we would receive approx. 536K increase in the first year of the next biennium. If you compare what we re actually what we are getting this year to what the Department of Public Instruction is suggesting we will get next year, that 536K increase is reduces to 11K increase. When I take a look at what I believe the Fargo School District will receive next year based on the best information that I have today about our enrollment decline and those kinds of things, I actually think we are going to see about a 90K increase. And that is the point I am trying to make to you. In total for the state, if we ended it today and we went home I think the actual increases to the school districts will not be as great as the 4M decrease nor will they be as large as the 2.5M increase that is suggested by Department of Public Instruction. In the comparison in the projected payments for the current year based on the fall enrollment to project the payments for the first year of the next biennium because there is

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only a handful of districts that are paid on the fall enrollment in the current year.

Rep. Jon Nelson Lets use the mil levy deduct for example, 2002/2003 5M dollar deduct and the 3rd example it is a 1.5M dollars higher.

Hoffman: That is the impact of the 36 and 38 mil deduct and a proposed a 3.6% increase in the taxable valuation around the state.

Rep. Jon Nelson With that, you don't redistribute that mil levy deduct back into the formula. You are going on the basis of the bill for per pupil payments.

Hoffman: Correct, In order of those dollars to be redistributed in the formula the per pupil payments in 2154 have to be increased.

Rep. Jon Nelson I understand that, but that again does not give us a true picture. You make the worst case scenario out of the mil levy deduct with this type of a run because you take the money out and it does not come back in.

Hoffman: In order for the money to be put back in you are going to have to increase the appropriation in 2013 by 14M. **Rep. Jon Nelson** We will try to do that.

Tom Tracy, Superintendent fort Kensel Public School

I guess the way that I see the two bills that are in front of us, and I realize that the Legislature this year has a tremendous task to balance the budget with a tremendous amount of pressure that is put upon you. But the bottom line seems to be with the Legislation being introduced that money is going to be redistributed from smaller districts to the larger school districts. Chairman Kelsch said she was glad to have heard from previous speakers on the willingness to compromise. And I agree with that 100%, but one thing that can never be compromised is fairness. And when you have x number of school districts in ND suffer financially by legislation that is introduced, is

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that fair. There is talk about the lawsuit, there are school districts that are going to go ahead with a lawsuit. I would ask that this body, is that how the Legislature introduces bills and passes bills and makes amendments to bills based on who is going to have the biggest lawsuit. There should be lawsuits in other areas, in regard to inequity. When the case went to the Supreme Court and it ruled that started the whole ball rolling here. Was the intent of the Court at the time to have this type of Legislation introduced that would create more inequity. Or is the lawsuit used as something we can focus on when certain people have an agenda that they would like to see passed through the session. We are against SB 2154, the school would be drastically affected by these changes, especially in the weighting factor and by the change in the increase in the mil deduct. So there again, if inequity is reduced in one area is it okay to increased in another area.

Rep. Mueller I am picking up from you that we should not be to concerned about the lawsuit potential and go about business as usual. I would submit to you that is isn't very realistic for this group and this legislative body. And also submit to you that we are not the only state that is facing lawsuits and there will continue to be lawsuits. The Supreme Court was asked to make some decisions about the funding issues and their reaction was very simply, there was no hearing about this, it will close half of the schools in your state and that will deal with the equity issue. I don't think that you or I want to be in that position. So for us to not be concerned about the equity issue is a dereliction of our duty.

Tracy: I agree with you 100%, but then by the same token if more inequity is created by this bills that are currently being proposed here that by the end of the session you could have a restraining order or an injunction against some of the legislation that has been passed. If an other group of people from smaller school districts feel that inequity has taken place since the passing of the

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new legislation. How would that be dealt with.

Chairman Kelsch I think what will be happening at the close of this legislative session, in order for us to reach and move anywhere towards equity, there won't be a single school district that is not affected. And we have said this for years that in order to reach true equity there is going to be winners and losers And the way it is looking to me is that there won't be a single school district that won't loose on some aspect. We are trying very hard this session to make some steps towards equity so that we have at least a defensible position when it comes to the lawsuit.

Tracy: I agree with that 100% too. But I would go back to the concept of democracy rules. And when you have a majority that are adversely affected and a minority that are not, you would try as much as you possibly could to deal with the majority that is there.

Paul Stremick, Superintendent of Grafton Public Schools, Handout

The handout deals with the weighted factors. In front of you are the numbers for the foundation aid for the school districts in the size categories according to 2154 the way it stands right now. I do have a five year history for you there on the left hand side, 98-99. And if I could draw your attention to the high school there, as you can see the smaller schools from 1-74 start out with 3,029 and it goes lower and lower and the lowest amount is for the largest school of 550 and more students at 2,128. People say that is because of the economy of scale. Smaller schools need more they get more. The larger schools need less they get less. I can agree with that but as you go down to the right and watch the years go by the larger schools surpass the medium sized schools in foundation aid. I would question why that happens, I have been told that it is based on what you spend per student. The more you spend the more you get. So basically you are rewarded for spending more money per student. Now at the very bottom of that page for the schools that

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fall into the 150-499 students, there are 31 high schools. Now on page two, this is the rank order of high school districts in per pupil spending. it is just the copy of the last page. The 170th school in per pupil spending is Thompson, ND and it goes backwards, Grafton is one there they are 163rd. They are 8th from the bottom. In addition to the information provided from Department of Public Instruction I have added the ADM for the 1-6 and 9-12 and the total mil levy for the bottom 16 school districts. And if you look at the bottom 16 school districts the ADM for the 9-12, 15 of the 16 schools were the lowest spending schools of the state, have a high school enrollment of 150-549. Now go to the next column and look at the mil levy, of those 15 districts 13 of them are will over the 185 mil levy. So I ask you how can the small or medium sized districts spend more to get more. We are capped at the 185 mils and we are capped by the state gives us in Foundation Aid. So how can we spend more to generate more revenues so that the weight factor for that group goes up. I would suggest that the group be expanded so that we can have more revenue for our districts.

Chairman Kelsch How do you recommend that we expand it?

Stremick: The recommendation would be to put us in with the other group, with the twelve above us. So that it would be 31 and 12.

Tape 2 Dan Bower, Kulm Public School District, handout for Kulm and Strasburg Schools

Rep. Williams I See the 73K, what is your total general fund dollars?

Bower: Our general fund budget is slightly over 1M

Rep. Hanson Did you give this testimony on the Senate side? **Bower:** No.

Myron Vigessa, School Parent, board member, farmer, land owner from Kinsel, ND

I would like to urge you to take a look at the bills and understand what it does to small districts

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like ours. I hope that my children will continue to go school without having to ride a bus for 1 1/2 or 2 hours a day. We chose to live in this area, we like the rural climate, but we need your support to continue educating our children. If I look at the weighting factors, I guess I would like to see that the 0-75 be put back in and that the funding be retained at the current level. Then regarding the teacher compensation package. I would like to see that the funds be distributed based on the FTE, rather than per pupil aid. Doing it by per pupil would really put our district at a severe disadvantage. We are already declining enrollment. Much worse than the larger cities and it would actually create more inequity. Our board through the years has been fiscally responsible in trying to hold the spending line and trying to improve our education quality. I feel we have been successful at that. It bothers me that when we have gone through the efforts that we have in order to maintain our community and our school district that some of the portions of the bills here take away some of the funding that we previously had and put us at more compromised position.

Dan Fremling, President of the Fargo Board of Education, See Attached Testimony

It seems apparent that in order for these two bills to work for school districts, the restoration of funds is imperative. And tomorrow for example I am on the negotiation committee for the board in our district and the first meeting is at 4 p.m.. I tell you right now if you don't put the dollars restored back into the 2154 I think it will be the first and the last meeting for negotiations in our district, because the funds just won't be there to be able to address teacher compensation adequately. I applaud the Governor, I applaud the NDEA for their willingness to compromise. I believe that those new dollars that come back through 2154 should come back through the foundation formula and the compromise that we are all willing to talk about is earmarking certain dollars to go to teacher compensation. I hope that his committee will consider that, but I also

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want you to listen to what the business manager from West Fargo told you. That if those new dollars don't come into the districts then the earmarked amount is irrelevant, because we can't take existing dollars and earmark it for new compensation. Those are issues that you need to help us with as you deal with this issue. I agree with Rep. Jon Nelson when it comes to compensation, as a district, we need to look at what is negotiated, what those items are that teachers want to include besides salary. In my real life I sell insurance, part of my practice I deliver employee benefits. When I go out to talk to employers today about their health insurance and the cost that continues to increase, the employers are cost shifting. They have to. They are either changing their health plan or they are cost shifting those dollars so that the employees are picking up more of the cost. So if the districts are still picking up the major portion of the cost of insurance, another benefits, that is dollars in their pocket. Because if you take those dollars and you have to spend them they are taxable, right now they are not taxable. So I agree with Rep. Jon Nelson for us to consider as we move forward in the total dollars that we have available. We spend about 80% of our total dollars for compensation and benefits. If we look at the more local sources it is over 90% that we spend on those dollars. So without new dollars coming from the state, it is impossible for us to address teacher compensation and help those high quality teachers. Because like any other district, Fargo has to the best teachers out there. And I don't remember who said it, but I disagree, The school board president and member, I value teachers. And I have gone around to every teacher in the district this year and have told them that they are important to us.

Rep. Williams In Fargo, Do they pay both 1/2's of the insurance costs. **Fremling:** Yes we do

Rep. Williams: How about the insurance? **Fremling:** We pick up 85% of the total cost.

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Mary Wahl, ND Council of Educational Leaders

The testimony that you have heard today indicated and substantiates the great pressure there is to increase funding, if indeed we are going to try to address the large issue of equity, teacher salary, and quality of education to comply with NCLB. And also through a bill that you will hear tomorrow that increases requirements for high school course offerings. The one point that I wish to make is that if our position with regard to the provision in 2154 that addresses teacher compensation and whether or not there should be direct payments made to teachers compensation through this bill. And again as Lt. Governor said, In SB 2154 there is a question of whether funding for teachers salaries should be in direct compensation or whether those funds should flow through foundation aid unrestricted. The council's position is that all new money should flow through foundation aid which will allow for those moneys to be equalized. We have however indicated a willingness to dedicate a % of the those moneys beyond the Governor's appropriated proposal for foundation aid to teachers salaries if the formula for accomplishing that can be agree to. We believe that compromise should always be examined as a possibility. We believe that this will help us go forward better as a team. And lastly, teachers in ND should have their salaries improved, that is essential if we are going to attract the best people that we can to the profession. Secondly if we are going to encourage our young people who are graduating from colleges and universities in this state, to say that ND is a good place to stay and teach.

Eric Hendrickson, 3rd grade teacher in Fargo and the President of the Fargo Education Assoc., See Attached Testimony

With NCLB and the qualifications for the highly qualified teacher, it really fits into this mold of teacher compensation because the face of education changed with this bill. Compensation should

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change as well. NCLB really adds a large weight on the shoulders of many school districts. Our school district is going through that and there will be another round of schools on that list. So it is just something to keep in mind, because that will be affecting every single district in this state.

Sandy Clark, ND Farm Bureau

I just wanted to make comments on this bill. We do have some concerns about combining that lower category for under 75 students. We would also like to indicate support for restoring the funds that would go back into foundation aid. We are not opposed to teachers salaries, and we are glad to have the opportunity to compromise. When that money is put into Foundation Aid there is the opportunity to talk further about the mil levy deduct.

Arvid Haner, Vice Chairman of the Max School Board

I to have a negotiations meeting coming up. The teachers at the Max school in the last three years have received a 33.3% increase in their salaries. We have a jump on the Legislature, we started early. I asked the question when I started with the school board to put a price or a value of a mind. And then put a price or a value on a teacher, who is trying to train that mind. And everyone looked at me and turned white. Education is the foundation of our society. Education is the foundation of development for the state of ND. I will always believe that. My motto since I was a senior in high school, to make the best better. When you have the best then you do it again, and again. In our school a starting teachers with benefits and all, will make at 29,200. We have teachers today in our system, 2 exceed 40K in our school. We have teachers that have been there for 25 years and have done an excellent job and have stayed with us. The weighted factor will impact us tremendously. I would like to see you reconsider that. I would like to see you put money into teachers compensation, otherwise I don't know what I can do next Monday.

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2003 HOUSE STANDING COMMITTEE MINUTES
 BILL/RESOLUTION NO. SB 2154
 House Education Committee

Conference Committee

Hearing Date March 24, 2003

Tape Number	Side A	Side B	Meter #
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Committee Clerk Signature <i>Linda Fiechtner</i>			

Opening committee work on 2154.

Chairman Kelsch There are a couple of things that I would like to hand out, Rep. Haas attended a meeting on NCLB that happened on Friday with the peer review team. He will recap this for us.

Rep. Haas This is pretty self explanatory, but if there is any questions I and Mr. Gallagher will try to answer your questions. I think it is important to know about three things 1) any school that was identified under the old law doesn't eliminate that identification as needing AYP and then start fresh with NCLB. We have 23 schools that were identified in the old law that are still identified under the new law. 2) a situation where a school was considered proficient in 1999-00 and did not meet proficiency in 2001-02 then what we are considering the baseline year for NCLB actually would cause them to be identified if they were not proficient in 2002-03 also. There is three consecutive years there where they would be not proficient and they would not be identified until 02-03 and 3) Is a school that was proficient in both 99, 00, and not proficient in the baseline year of 01, which doesn't count for identification purposes, then they were not proficient in 02-03 they would also have to be not proficient in 03-04 before they were identified. So then in years subsequent to this it would always take two consecutive years of being not

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proficient before schools being identified as no meeting AYP. I think this makes it very clear, this information was sent by e-mail to all of the schools districts in the state last Friday after the teleconference meeting with Department of Education in Washington. I think this should clear up a lot of the misunderstanding that is out there with regards to what does it take to be identified.

Rep. Sitte We have two schools in Bismarck that are not proficient, if those schools pull their scores up through the tutoring and whatever else, will one year of being proficient be enough to take them out of the identification.

Rep. Haas it is my understanding that they would not be on the list if they were proficient for one year., Is that right Mr. Gallagher.

Gallagher: They must have two consecutive years of good scores.

Rep. Haas It takes two consecutive years to be identified and two consecutive years to be unidentified. **Rep. Sitte** What is going to happen to these schools, who is going to pay for the tutoring in the schools where they don't receive title I funds.

Rep. Haas If they don't have title I funds they are not subject to NCLB legislation.

Rep. Solberg if they don't meet the requirements of NCLB they may loose their title I funding, is there any other punishment other than loosen the title I funding?

Chairman Kelsch You loose the title I funding, they go through the process, if they are still not proficient after the seven years. **Gallagher** if they have been identified for not meeting AYP, you still retain your Title I funds, there is a certain amount of title I funds that are set aside for other supplemental material. At no point is there a threat of loosing their title I funds.

Chairman Kelsch Then after the seventh year. **Gallagher:** After the seventh year you are going through increasing periods of changes in curriculum and perhaps some governess models

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depending upon on the state, but even at that time there is not a threat of the loss of title I funds.

Rep. Mueller At some point in this process, if in year three you are still not meeting the requirements, can a school district say if we don't want the title I funds anymore, we are severing our ties with the federal funding, what scenario does that put that school district in.

Gallagher: In a case where a district is interested in withdrawing from the federal title programs at that point, they always have that right to withdraw from the program. They would probably loose any of the supplemental support services that are offer to the children by the school. They will not be held to any punitive measure because of the withdrawal from title I. They always have that right to enter freely and exist freely.

Rep. Mueller Meaning that they then can not be subject to school improvement any longer, the federal folks have no bearing on what they do. What would the Department do at the time?

Gallagher: Department of Public Instruction can't do punitive damages either. The only thing that the department would monitor is what we currently do, any effort towards accreditation. And that is an entirely different matter.

Rep. Herbel It takes two years of non proficient before you are identified. Where in that period of time do the students have the right to open enroll to another school, and the school district pays for that **Gallagher:** after the two years.

Rep. Herbel if that happens can they use title I funds to pay the cost for the student to go to

another school? **Gallagher:** Within the district, under the title program now, if a student chooses to open enrollment it would be within the current district, it would apply to the districts that have more than one school. They would choose from one lower performing school to one that is higher. In terms of the costs picked up with that, transportation I think it is included in that under

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the title I set aside for transportation costs.

Rep. Sitte Is there a limit to how much money is spent/student for tutoring?

Gallagher Yes there is, there is a formula that is set up for each individual school on the amount of money that can be used for supplemental tutoring programs. There is a cap on what that is and so for a student we may have 1200 dollars. You are entitled to have 1200 worth of services, the moment that you meet the cap, that is it.

Rep. Herbel If the amount exceed that 1200, then the local district picks up the cost or is that end of tutoring.

Gallagher: that is the end of the tutoring. The district is held only to the obligated amount that is set aside for supplemental tutoring programs and the same applies for transportation costs.

Rep. Meier Within a years time **Gallagher:** yes that is correct. Every year a new amount of money is set aside, every district would receive their annual allocation for tutor and transportation and then they obligate that out for the year. There is an opportunity, depending on the district, there is a formula for carryover that is allowed. If you don't fully expend in the first year you can use some of those moneys the next year.

Rep. Meier Remedial summer programs is that included.

Gallagher: Discretion is given to the districts in how those things apply, generally that is a separate item, the tutoring is encouraged to occur throughout the year. Model is a choice of the school district. The parents are going to be seeking it and they help make the choice.

Rep. Haas Allocated money for either tutoring or transportation does that come from the basic title I grant

Gallagher: The logic in how NCLB was funded, whatever the base was before, they increased

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the allocation that would go tot the various states and districts,. So effectively, the cost of the tutoring and the transportation have been added into the baseline funding that occurred in the past. So they saw and increase in the base and then an increase in special lines items.

Rep. Sitte What % of a schools budget is title I?

Gallagher: I would have to do a run, they are all different, it is designed to be supplemental program from the get go. And as such you can very easily See those services and teachers that are funded by title I separate from general funds. So you would know at the number of teachers that are impacted, the number of students that are impacted, it is generally a straightforward thing for districts in what they would loose. And what they would loose would not be core educational services it is the supplemental services that are offered to the eligible students.

Rep. Sitte Could we have a run on that information, **Gallagher:** we could do that for you.

Rep. Sitte, I'm looking at the two Bismarck schools that have bee sanctioned, have a primarily minority population, And so I know that NCLB breaks out the minorities for statistical purposes, but has anyone discussed that this bill is discriminatory against certain people. Or are we going to be giving extra money to those schools? **Gallagher:** The law protects the disadvantaged, it works harder in favor of the Native Americans. We also have (role of out of date) the law allows for schools to get out of identification.

Rep. Jon Nelson 23 schools That are identified now, is the likelihood of then not able to comply with the new standards of NCLB. What kind of a burden are we placing on these schools?

Gallagher: We are at that point right now being able to do a standing of all the schools, for the committee, of the standing of the schools that have been identified under the baseline data that we have received. What we have gone through in the past couple of weeks, the initial notification

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has gone out, clarify the data. This is not a death sentence to be identified for program improvement, you can exit out, and what we have seen under this first baseline run, schools in the past that have been identified are not showing up on this list at this time. There is very possible for districts to move out of needing improvement, you can in fact exit out. The way that the law is designed you do not require the schools to pull from their home foundation fund, this is for the supplemental funds that are identified and provided under title I. Title I's funding has gone up proportionately in order to offer the supplemental services to the students in the school that have been identified. For a program improvement school there is a requirement that you set forth a plan, you work on the plan, you monitor progress against that plan, and there is a seven year progressive evolution of activity, up to the point where you make changes in curriculum, and assess where you are with open enrollment. Federal law offers opportunities, and we don't go through those all those opportunities under ND law, we don't think that is where we want to go. So it is not a death sentence, you can work out of it.

Rep. Jon Nelson I understand your answer, maybe identification areas of low income and tribal schools on the reservation. that is probably true. Although this is not a death sentence, it will be difficult to raise up and out of it. Is there going to be money available for the tutoring, and can it be truly taken care of.

Gallagher: There was a provision, a dedicated school improvement fund to help those schools developed so that identified schools can apply. We also still have districts with expansive programs that have the funding level that they get, some are still expressing some areas such as title II with profession development, all of these things tie together. Because of the flexibility of the other title programs and put them into title I funding if you choose to do it. We have districts

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that don't know how to spend all of their title funds. So the flexibility under the law, allows for the districts to transfer funds from others if they feel it is in their best interest to do so.

Vice Chair Johnson reevaluate the 23 schools, AYP schools, and their title moneys have be withheld up to this point or at least a % of it, are they going to restore those moneys, how will that be addressed? **Gallagher**; We don't take money away, it is set aside funds, what they would have received, and now they have received more. And of that more, a part of that has been set aside for tutoring and transportation. They do not loose anything. In fact they receive more than what they have received in the past.

Vice Chair Johnson I should have rephrased my question, The money that is set aside for tutoring, does that have to be for state approved tutors?

Gallagher: There is a dedicated process with qualifying and preapproved vendors who can offer the supplemental services. That is part of the supplemental services requirement. In fact we set up RFP's for people to submit proposals so that they can become an approved vendor or provider of supplemental services. And it can be a whole variety of individuals and organizations, even teachers can apply to become an approved supplemental provider. The intent is to let the marketplace drive the process of who will be available to do the services. We don't have ample statewide coverage, we are now seeing and increase of those providers and I would anticipate that it will continue to increase. It is a contracted service by the district with the provider.

Rep. Norland Title I money is still tied to reduced lunches?

Gallagher; Yes there is a balance in the formula for that.

Rep. Norland therefore if to receive a budget for a school really would not tell the whole story, you need to go into each district and find out what is for the different supplemental needs.

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Gallagher: That is correct. **Rep. Sitte** is there any state money for curriculum mapping

Gallagher: None other than foundation aid. However federal funds are very clear, you can use a wide variety of federal funds to do that, including title 5 and title 2.

Chairman Kelsch The other two sheets that I handed out to you are basically what ND is going to be receiving in the NCLB money and the other is broken out a little bit differently, it lays out all of the federal moneys that are received in the state.

Rep. Jon Nelson Is this the money in Pres. Bush's proposed budget or ?

Chairman Kelsch These are the est. as of 2-3-03. this is what Sanstead brought back from DC.

Rep. Mueller in the fine print here, there are a whole lot of places that go into the minus column, do any of these have to do with the Head Start program.

Chairman Kelsch Even start is what he is calling his program

Gallagher: Even start is still not Head Start, that is a historical program that has been on the book for a number of years. Head Start has not being included on that sheet. Any thing down to about mid point where it says 'No Child total', everything above that is what is associated with the elementary and secondary education act. The stuff down below are other funding sources and issues. **Chairman Kelsch** it looks like overall we are receive an increase of 10M, what I am wondering on some of these more historical programs if they are not being replaced with new programs, I look at this rural and low income schools program, 2003 estimate is 88,198 the change for 2003 is estimated that we would not receive any of those moneys. If that doesn't mean that some of these are being replaced with other programs. **Gallagher** In some instances they are

Chairman Kelsch We are still receiving a 10% increase from 2002-03 estimates.

Gallagher; 2203 is not the final column, the 2004 is the one that is under discussion.

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Rep. Hunsakor Greg second line from the bottom, if we were to kill the signing bonus teacher incentive, what would happen to that 13.5 M, it says to attract and retain highly qualified teachers. What happens to that money.

Gallagher: My take on it is that it would be neutral to the effect that the receive 13.5M, that is title 2 money. I don't think that the funding would be at risk, what title 2 does, it says 'within the 13.5M from the federal perspective, that if you chose use that at the local level for retention, hiring, bonuses, you can do so if you choose to. And so on a list of 26 different activities that are approved, retention, bonuses, teachers pay is included

Chairman Kelsch they can use that money also for getting a teacher to become highly qualified, helping to pay for them to get their major. **Gallagher:** Absolutely, that is correct.

Closed committee work., resume after floor session.

Chairman Kelsch these are rough draft amendments (38241.0312) that I am letting you see, we will not be voting on these, but this is the direction that we are headed.

Section 1: This is the long term planning process, this was something that the House passed and it was killed in the Senate.

Section 2: Basically prohibits the high school district from becoming an elementary district. We don't want to see these small schools as they are struggling to survive becoming an elementary district. The goal is to then look at reorganization

Section 3: The interim fund which is school district has an interim fund that they can carry over, the Senate had amended 2154, we are just following right along on how the Senate had amended it. 50 % of the current annual appropriations for all purposes except for debt retirement, . . . plus 20K, is the most that they can carry over. We have been reducing that each session to ensure that

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school districts are using the money for what it is intended and that would be kids, books, teachers, those sorts of things instead of building a war chest.

Section 4: There can not be any reorganization plan that would result in a creation of an elementary district.

Section 5: The per student payment which we have not changed yet, those are the same amount of money that came over from the Senate, so that is one of the things in flux's right now.

Section 6: Deals with the weighting factors, as you can see it goes from 75% the first year to 85% of the five year average. This would have restored the bottom category, the 0-74 category, you don't see it in here because it goes back to the way the old law reads. and restores those categories, which we feel may have caused some of the issues.

Rep. Haas One page 2 sub section 1, has the language in for that smaller school category.

Chairman Kelsch okay

Section 7: relates to the weighting factors in the elementary schools,

Section 8: Compensation reimbursement for teachers, sustaining what was done in the last session. We had this rewritten again because as I read the bill that came up from the Senate, I was not convinced that the language was clear enough that we were sustaining those payments. So I think that this language makes it a little more clear.

Section 9: Minimum salary and it increases the base salary, 22.5 the first and 23.5 the second yr.

Section 10: Is the Legislative Council study for the education funding method

Section 11: Joint Powers should be struck from this section, it should be the contingent payments the reorganization bonuses, this pays out from the 2M for reorganizing bonuses and remaining are sent out on ADM to the districts.

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Section 12: Any funds remaining in the teacher compensation fund to be turned back

Section 13: District must dedicate an amount equal to at least 70% of the increase for the exclusive purpose of teachers compensation increases. increase meaning increase in foundation aid. **Rep. Hawken:** I am not sure it is saying what I think it would say, Some where in here it needs to be net increase with the mil deduct. **Chairman Kelsch** After it goes through, when it comes out in Foundation aid payments that is what actually getting. **Rep. Hawken:** so we are looking at net. **Chairman Kelsch** Yes, it is here, new dollars, it goes through the formula.

Section 14: is intent language that a school district not use state funds to operate a program to distribute condoms or contraceptives, board emphasizes abstinence

Section 15: Approp. of 400K which would be given as grants to school districts for the reading program, the first grade reading program, the act becomes effect 12-31-03

Chairman Kelsch These are just floating ideas right now , if you want to work with the sub committee you may, these are public record however nothing is in stone.

closed committee work on 2154

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2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. SB 2154
House Education Committee

Conference Committee

Hearing Date March 31, 2003

Tape Number	Side A	Side B	Meter #
1	x		633-end
1		x	00-end
2	x		00-3668
Committee Clerk Signature <i>Linda Fechtner</i>			

Chairman Kelsch opened the committee work on 2154 Amendments

Section 1: long term planning process

Section 2: prohibits a high school district from becoming a elementary district

Rep. Jon Nelson for the record there are several school districts in the state that are in cooperative agreements with one another, one being an elementary district the other being a high school district. My understanding of this is that this provision does not affect them, am I correct. **Chairman Kelsch** that is my understanding as well.

Tom Decker, Department of Public Instruction, unless you indicate specifically that those are exempted, there will be some questions.

Section 3: interim fund language that was put in by the Senate

Section 4: is regards to charging fees, clean up the language on the State Aid payments, rather than dividing out the per student transportation

Section 5: not approving the reorganization plan that would result in the creation of an elementary district.

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Section 6: Regarding the state Aid

Section 7: There needs to be a change, the per student payment. I am just going to throw this out because this is just all in theory. If this amendment were to pass the way it is right now, the per student payment would be 2486 and 2609. That is based on a 34/36 mil deduct.

Section 8: Incorporates an mil deduct factor in this bill and then we would defeat SB2182. It reduces the mils deduct from 32 to 34 mils and then the 34 mil to 36 mils the second year. Puts into effect a sliding mil deduct and the goal that we have put in here to increase the mils by two until we reach an equity index that equal to 25% of the state wide average general fund mil levy. In other word , what it is right now it is at 190 mils, 25% of that would be 47.5 mils. And we would assume that there would be no change to the 190 mil average, we would be at 25% in the year 2010-11. The reason for looking at something like this, is back in 1993 when the courts looked at our funding formula and equity we were sitting at 12 1/2% of the state wide average. The courts found at that time, there were problems with the formula, they found at that time the formula was still equitable. And so looking at doubling that would be a goal worth looking at and trying to achieve. It looks good for us putting into statute the fact that we have a goal and we recognize that equity is an issue and that we are working towards that goal. If the committee feels that we need to go to 30% of the average or higher that is open for debate.

Rep. Herbel What was the rationale going from 36 to 34.

Chairman Kelsch the biggest reason was from some of the things that were expressed, with the fact that we had some hard hit areas and that we had better ease into it because the budget is so tight. How much catch up are we going to do and is it going to be a big enough effort to make a difference for the courts to look at. Because the effect that it had on so many school districts.

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Rep. Sitte back on section 9, we were talking about equity index, I am wondering 'upon reaching equity index, the Superintendent of Department of Public Instruction will annual adjust the number of mils.' Would this not be something that the Legislature would want to maintain control of. **Chairman Kelsch:** we can consider that. We are using language that was in statute from the 95 session. We had something like this that was put in 95 & repealed in 97.

Rep. Jon Nelson Would you explain in Section 8 why we need sub section 3?

Anita Decker, Department of Public Instruction , One of the things that we are trying to look at here is if the state had a very large infusion of dollars that would be put into education. It might be legitimate at that point to look at the mil deduct and the way it is in relation to the new money. They wanted to have some flexibility, for a possibility down the road.

Chairman Kelsch For example if we would have a windfall where we find 40M of new money that we wanted to put into Foundation Aid or into Education then what we could do is proportionately raise the mil also.

Rep. Jon Nelson adversely if the State or the Legislation would determine the need for a major increase in supplemental payments for example, we can reach equity sooner, should it not be considered that the last line, the rate should increase or decrease proportionately. We are only locking in the increase not the decrease. If there are some changes in the formula I would think that the mil levy deduct should at least be able to go either way.

Chairman Kelsch I don't think that the mil deduct can go backwards, or should go backwards when we are trying to address equity. However when we are addressing equity I think that it is the wrong direction to go. **Rep. Jon Nelson** I understand and that may be true, under the current funding formula, but we may.

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Chairman Kelsch If we have this study in the interim and if indeed we actually do study the funding formula and come up with alternative ways of funding, then I think that some of this language will have to be looked at. We have to get to that point first, where we are actually looking at different ways of funding education in ND.

Rep. Williams Section 8, subsection 2, after June 30, 2 mils per year. What we are doing there is raising, starting in 2005, the mils, 2 mils each year, until we reach equity level. Correct.

Chairman Kelsch that is correct. **Rep. Williams** I have a concern with something like this where every two years we meet, we adjust for the foundation aid impact, teacher compensation and we put a certain number of dollars in there to make it good enough for the next two years. And we tie it to the mil levy deduct, in bill and we don't know what we are going to be able to do in two years from now. Yet we are locked into mil levy deduct increase for school districts.

Example: 130 school districts are loosing on this end of the proposal, primarily because of the mil deduct. I am concerned when we lock schools into a two mil deduct, when we don't know how much foundation aid or other general state fund dollars are coming in. In order to make this work this time and to make it less painful were putting several million more dollars so that the mil deduct will work

Chairman Kelsch A few million more. The other thing is that is kinda the reason why we looked that aspect instead of going up the full four mils to go up only two after.

Rep. Williams I understand, but I am very concerned we are locking the next legislature in by putting the 2 mil deduct in the language.

Chairman Kelsch When you are referring to the number of school districts that we are loosing based on the Senate plan, you have to remember that the Senate made other changes. School

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districts are losing based on the fact that the Senate also collapsed the weighting factor category, and by restoring that it does make a big difference in the funding and the number of losers that we are actually going to have. You believe that showing the course that we have a goal in mind regarding equity. If we are going to show the courts and we have a goal and this is what we are going to be doing. So philosophically if you don't believe in tying the hands of the next Legislative session, then that is the way you are going to have to go. But I think if we look at this, and I like the idea that it does show that we have a goal and we are going down that path.

Rep. Haas Every 2 years, escalator clause in there, if this were not revised, it will stay in place.

This can be revised just as easy as any other part of the Century Code.

Rep. Williams I'm concerned- 70% state foundation down to 43% now, shifting the burden from the state to the local property taxes or the local sub divisions for funding education.

Section 10: Elementary district 85-100%

Sections 11,12,13,14 regards block grant for transportation payments

Sections 15: Sustain reimbursement for the teachers from last session

Section 16: Raising the base salary, look at this 21.5, 22.5 same as from the Senate instead of trying to raise it another 1K. Based on the fact that we don't have the money to put back in.

Rep. Herbel some of the schools are paying both sides of the TFFR/Benefits, puts a strain on the district, because those things don't effect the base. I don't know if this is something that needs to be addressed in this section or not.

Section 17,18,19, 20, 21, 22, 23, 24, 25, 26 deals with the amendments for transportation.

Section 27 sets up the transportation grant/ distribution, moneys will be the same.

Chairman Kelsch Question came up to me as to how this will work in the reorganization school

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districts. They will be put in the same pool.

Section 28 Legislative Council study alternative funding methods

Section 29 1.5M reorganization bonuses

Section 30 Teacher compensation, the 3K stayed in from last session, if there is money left in there it gets paid out based on ADM, procedural.

Section 31: New moneys, 70% of the money will go towards teacher compensation

Section 32: Appropriates the 5M to Supplemental payments

Section 33: Repealer for transportation.

Rep. Williams Section 5, (read the section), does this prohibit the very thing it is to enact

Tom Decker, Department of Public Instruction: that approved coops that this refers to are operating agreements between 2 districts that are not thinking about reorganization. They are separate districts.

Chairman Kelsch : Rep. Jon Nelson did you want to come up with some language for Section 2, that is the one that you had the concern about. How did you want to word this.

Rep. Jon Nelson As I quickly read Section 5, I would think under reorganization, I would agree with the language that is there, the questions that I had were about existing. Does it put an effective date in here. After a certain date: Would that address it.

Decker: I think you need to be clear about what your intent is here. The version that you are talking about I think has the best future for approved coops.

Rep. Norland If a district right now is in the process of reorganization, The way you see this currently, would that district be okay, I am referring to the Center Stanton situation. Right now they have already voted, the board in place, the high school is going to Center and the elementary

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is going to stay in Stanton, it is already in there minutes. Does this bill go into effect Aug.1,2003, so that there situation is solid or not. **Decker** As this language is written, that seems to create a problem, because Stanton will become a K-8 district before those two districts are reorganized.

Rep. Norland you are saying they will have problems.

Decker: This would be a problem until they voted and approved by the board.

Rep. Hawken: I think the intent here was , if the district was reorganized not to allow a k-8.

Vice Chair Johnson would the language be better stated 'in any reorganization process a newly form k-8 district would have to remain part of the high school district

Decker: The language here does not allow for the formation of a k-8 district.

Chairman Kelsch Tom the whole point of this is so that you don't have a high school out there that would decide that because of declining enrollment and other things they would become an elementary district. It doesn't talk about the reorganization process, what we need to focus on is exactly what it states here, but then if we need to have an exception regarding reorganization then we have to put that in there.

Rep. Jon Nelson It seems to me that we are doing is saying that approved coops can no longer happen, because I would tend to disagree with the philosophy of this if I am reading it right. I would suggest that we add 'not withstanding approved cooperative agreement a high school district may not become an elementary district.' something like that

Rep. Haas I think that is right, or something like that to allow the cooperative efforts to take place. I'm thinking back to Richardton Taylor. They were a cooperative for 20 years before they consolidated the districts. There should be an exception to this.

Chairman Kelsch After the period following prohibited, 'not withstanding an approved

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cooperative agreement. . . an elementary district.'

Decker: Lets make sure we understand what is in an approved cooperative agreement. Our rule indicates that they need to share a superintendent, with at least 4 grades that are not duplicated, that leaves out circumstances in which a districts closes it high school and send its students to the other district. There has to be an exchange of students. Richardton/Taylor met that requirement. My understanding is that is not going to be the case with Stanton/Center.

Rep. Haas In that situation, even if we added the language that Rep. Jon Nelson is talking about, and if they don't meet the requirements for a cooperative agreement, which they do not, then ultimately they will have to do something other than remain as a k-8 or k-6 district. Is that right.

Decker: Yes that is correct. We may be able to cover that by giving them a year to do so.

Rep. Norland I can see some real problems here with that situation, if they were forced to close that k-8, they already have a small amount of teachers for that school. I don't know if they are going to be able to do that.

Chairman Kelsch Rep. Jon Nelson, Anita and Tom, you know what we want if you could put some language together that would be appreciated.

Rep. Jon Nelson; Section 8, sub 2 I just want to reiterate this. I have a real problem tying the next legislative session into a policy that we are doing in this session. That concerns me a lot that we would keep that escalator in there. We have set a lot of policy in this state and we are slow to move in this path. We try to make the best decision.

Chairman Kelsch If you like the fact that we are lowering the increase of the mil deduct from what the Senate did, look at from this aspect, All you are doing is tying the hands of the next Legislative assembly where you can go in and make the changes you would like and take the

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escalator out of there and you will only take out to where the Senate has gotten to at this stage in the game. And it does put us into a much better situation in the law suites. So you can take the escalator out in the next session, but it will only have gotten you to where the Senate is now.

Rep. Jon Nelson That is a very good point. My only argument then is that as we move forward, we don't know what these dollars are going to be but we are tying the mil levy deduct increases to that formula, not knowing what the numbers are going to be.

Rep. Mueller I agree with Rep. Jon Nelson and Rep. Williams on moving beyond 2005, I think some part of that is we really don't know what is going to happen with the law suit. The other point I will make about that whole thing is I'm not so sure that when we are talking about mil levy deduct, all the things that puts into the mix, are we really addressing equity? At least that whole system is flawed in a major way. This is a pretty strange combination.

Rep. Haas As long as we have our funding system the way it is, with the mixture of state aid and property taxes, then the mil deduct is the answer to achieving equity. In every state in the nation that has had similar funding mechanism, the basis for determining that their system was unconstitutional was the inequities that resulted from unequal taxable value per pupil across the state. That is the basis. As long as we have this funding system, the only way to achieve equity is to increase the mil deduct and using 100% of the weight factors. Those are the two most significant factors. Now if we want to address the funding mechanism, as Chairman Kelsch has talked about and we have a study in here to do that, then we can look at it in a different way, but as long as it system stays the way it is this is the right road to go down, in my mind.

Rep. Herbel Mil levy deduct in what it takes to get to equity, one of the things, time element involved, by not considering moving this slowly is the impact the lack of equity has had on the

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student that are dealt with from the period of time from where we are now to when we get to equity. Personally I think the 2 mil each year is not fast enough in terms of equity. Maybe we ought to let the courts decide so that we can get there faster.

Rep. Williams you are exactly right.

Rep. Jon Nelson Section 8, subsection 3, that after the word increase we add 'or decreased' or adjust proportionately. **Chairman Kelsch** yes.

Rep. Sitte Section 8 subsection 2, change from the Superintendent to Legislative Assembly for the adjustment.

Chairman Kelsch the only problem is it is done annually, and we are not here annually.

Rep. Jon Nelson Isn't that equity index, copulation of reports sent in by each school district and mathematical formula and is not subjective. **Chairman Kelsch** that is right.

Rep. Jon Nelson have you had runs prepared on this information, I would like to see how it effects the schools in my legislative district. I will not vote on the bill unless I know what it does to my schools.

Chairman Kelsch What number is Wolford, unfortunately they are a looser and so is Rugby.

We will get a copy of this for all of you.

Rep. Mueller One of the real keys to this whole thing is the dollars, and I guess, and those dollars will have an impact to what increase we will see, this is hard to vote on without knowing the numbers. Is there any possibility to get an idea of what kind of money will be put into this.

Chairman Kelsch If we as a committee are going to put 5M back in, Ideally as the mil deduct was sent over from the Senate, and if we would keep their version, I hope to see 10M go back in.

Is that realistic, probably not, what is the most we will get is maybe another 2 1/2 M, unless

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someone has a revenue enhancement ready to go.

Rep. Hawken: Perhaps we should be looking at attaching a revenue enhancement to this bill.

Chairman Kelsch you can certainly do that, amendments are always in order in this committee.

Rep. Williams 5M back in **Chairman Kelsch** Correct, that is where I gave you the adjusted per pupil payments. **Rep. Williams** how many mils, we are not sure if we are doing that or not yet. that is a proposal on the table at this point.

Rep. Williams If we don't drop the mils, and don't add more money on the top from the state, and the decline in enrollment still make a lot of these schools losers.

Chairman Kelsch That is correct. However in a perfect world, our school districts probably wouldn't loose money because they wouldn't be loosing students but that is one of the main issues that we have to be looking at. We can throw a lot of money in, but because of declining enrollment school districts are still going to loose, you can't put enough money in to make up for decline Unless we would put in hold harmless for the declining enrollment. That is a issue, then we will have to find more revenue for declining enrollment as well. There is only four school districts that are going to have more students then what they had last year.

Rep. Williams I understand exactly what you are saying. But I can't vote for this if it effects a school in my district.

Chairman Kelsch My philosophy is that we may have to look at this from the perspective from the state and not by school districts. It has gotten to that point, this is my second law suit and I don't want to go through another one. (flip tape)

Chairman Kelsch we are going to voice votes by section of this.

Section 1: passed,

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Section 2: amended to read: 'July 2, 2003 that a high school district may not become elementary district.' 'The section would not apply to elementary school districts participating in cooperative agreements that are approved by the Superintendent of Department of Public Instruction.' 'The districts that reduce services from K-12 to less than K-12 but are not part of an approved cooperative, would have one year to dissolve or reorganize into a K-12 district.' changes passed, section passed

Section 3: passed

Section 4: if we choose to do block grants for transportation

Section 5: passed

Section 6: cleanup language

Section 7: If we add in 5M, change the per pupil payments based on how much money we put in, it could be 2486/2609 based on 34/36 mils

Section 8: Mil deduct

Section 9: High School, Increases weight factors 85% -100% of 5 year average; passed

Section 10: same as 9, but for elementary schools; passed

Section 11,12,13,14: transportation

Section 15: passed

Section 16: changed back to Senate numbers 21.5/22.5 for minimum base salary

Rep. Jon Nelson why are we mandating teachers salaries without providing the money, they can't even pay 1 teacher more money in my district.

Chairman Kelsch I can tell you exactly how many school districts this effects, I basically effects about 40 school districts.

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Section 17,18,19,20,21,22,23,24,25,26; cleanup language if we choose to go with the block grant

Section 27; Block grant distribution

Discussion on the Block Grant:

Rep. Jon Nelson: Some questions that have directed to me about this, why are we doing this?

Chairman Kelsch There have been a lot of changes on school districts some favorable some unfavorable. One of the issues that comes up with transportation payments is the fact that Superintendents put in for their reimbursement payment it perhaps is not totally honest and up front with the amount of reimbursement that they request. That is not neither here Rep. Norland there, we have know about it, and they openly admit it. When I look at block granting transportation payments, as I see it, if I am required to apply for every dime that I am planning on spending, I am going to fudge a little. However if I am given a bunch of money, now you do with it want you want to, I am going to look for the most efficiencies that I can, of whatever I am given the moneys for. I am going to use it the most efficient and effective way that I can. And then perhaps have a little left over so that I can use it for something else. I think a lot of the school districts would enjoy having a block grant to have flexibility to use the money where they think it is more appropriate. One of the issues, or burdens eased, is that of the reporting. What is the best way to address this. Currently, at the end of the school year, the annual financial report and the year end statistical report. These reports would include the transportation dollars spent. The purpose is to ease the reporting requirements.

Rep. Jon Nelson block grant paid next year on the same payment that they got this year, or is it average of years, and then thirdly, is there no reporting requirement?

Chairman Kelsch that was my understanding, however Tom Decker said that there would be

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some kind of reporting unless we said in here otherwise.

Rep. Mueller What has happened w/ transportation, has it been increasing, decreasing, maintaining?

Chairman Kelsch As I looked at the data, the dollar amount for transportation has actually decreased., part of that is due to declining enrollment, but I think it should stay somewhat the same, because the buses do have to run. The appropriation from last year is the same this year.

Rep. Jon Nelson In the event of NCLB, a failing school and the students are required to open enroll to other school districts, is there a component in there to deal with the transportation issue. It is my understanding that it will be required of the sending district will have to pay.

Chairman Kelsch No, a district receives the money, they do not receive an increase in moneys, they have to make it work. The reimbursement is capped **Rep. Jon Nelson** are you sure.

Tom Decker: 1086 provides for that state schools open enrollment option, and it is made very clear in that testimony that they can use up to x% of those federal funds.

Chairman Kelsch So it is outside of the state transportation funds **Decker** correct

Rep. Mueller What do we have for the transportation studies.

Chairman Kelsch We have one bill that is coming out with a DNP, for the Data Envelopment Bill, supposedly the bill will be resurrected in 2013, which is the DPI funding bill and will be taken care of in there. I got a luke warm reception on that in appropriations.

Rep. Mueller Block granting, then we don't need to do a study, but on the other hand if there was some legitimacy to the study, I wonder how this will come to play with the study.

Chairman Kelsch I have asked myself that same question. the answers that I came up with are: we would only be missing one year of data, and things are relatively consistent from year to year.

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Chairman Kelsch do you want to vote on transportation?

Rep. Williams We are talking about something that I am not familiar with, I would like to ask

Dr. Larry Klundt opinion on this before we vote.

Dr. Larry Klundt, Executive Director, the ND Council of Educational Leaders

I missed the hearing on it, or if there has been one. In the past there has been work on block grant systems. It does shift the amounts of money that various schools receive, depending upon the criteria involved in the system. So until we see something and gather information about how it works, we think the current system ought to stay in place.

Chairman Kelsch What it says is that school districts will receive equal amount to the state transportation payments received by the school district in the 01-03. How much more simple could that be.

Klundt: Probably not more simple, but what the effect of that is in the future. Does that mean they would never receive more or less for the next 20 years, or is there some kind of adjustment and what are they based on, how would they be figured. Right now we know based on the number of miles traveled depending on the size of the bus there is a formula to follow.

Chairman Kelsch It would be my guess that we would be doing the study during the interim and alternative forms of funding will be studied. It seemed to me that it was nice way to give back to the school districts and say here is something that we are going to give to that you don't have to work quit so hard for.

Rep. Jon Nelson Larry your answer surprises me, first, with the fact that there would be no need for reporting would make you happy and be a positive from your standpoint, do you not agree.

Klundt: reporting isn't always a bad thing, would we like to do things without reporting, yes,

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What I am unsure of is what are we going to do in the future, how is this going to be dealt with in the future. Would I be correct in assuming that this will give everyone the same amount of money that they are getting, and then study in the interim and develop a whole new system. There is 2 years, are you going to give the same amount of money for 3 years, when does it recalculate.

Rep. Jon Nelson What would happen under the current system if we performed audits on the school districts. Are you prepared to stand by there reports.

Klundt: Is there a problem and has anyone been auditing, and are they finding that there is a problem with that. I am suspecting that school districts do report kids that are scheduled to ride and do it that way, I would guess that some will be accurate and some not.

Rep. Jon Nelson the cost of transportation we discuss study after study and how to make some efficiencies in transportation. It seems tome that the local districts if they had an incentive to do this, it would be the best place to do this. This will begin the process of these efficiencies and be worked from the ground up. It amazes me that you would not want to be part of it.

Klundt: What was the question, I think that you would want to hear from the various school districts in a public form providing information before you make this decision. If in fact that there is a serious problem with how transportation system works and is being funded then we ought to take a serious look at it, I don't know if this is it.

Rep. Herbel I am going to support this grant, I think it gives the school districts an opportunity to be more efficient, and I don't think we are going to look at them getting more money if we stay. It will be less money on a new system, and we will address this in two years again.

Rep. Williams (Tom Decker) Is there problems with transportation. How do you feel about the block grant, there is no reward for efficiencies.

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Decker: We have made it clear how the department feels over the last couple of sessions that we think there are inefficiencies in transportation and there is no reward for efficiency. That's why the block grant has some real merit. I don't think we will know if it has produced any efficiencies in two years, unless we continue to collect the data. We are still going to be paying district 36M for transportation. We can go to the block grant, but let's continue to gather the data so that we have some basis for knowing if this payment structure is working.

Rep. Mueller: I wonder if we are talking about a major change here in the program here if it would be okay if we vote on this section of the amendment tomorrow so that we can make some calls.

Chairman Kelsch: Absolutely. Our plan is to go through these sections and give any changes to the Legislative Council to be drafted and come back in tomorrow and complete the vote on the bill.

Section 28: Legislative Council study, K-12 funding, passed

Section 29: Reorganization Bonuses 1.5M

Rep. Jon Nelson: Does this include the money for Berthold district?

Chairman Kelsch: This is money that would come out after the hold over dollars or carry over dollars, this money is appropriated out if the reorganizations are completed this next biennium.

Jerry Coleman, Department of Public Instruction: We have about 3M, the first two are hold harmless and the last 1M.

Chairman Kelsch: Then the last one was for the reorganization bonuses,

Coleman: there was a separate appropriation for the reorganization bonuses

Chairman Kelsch: then how come Berthold did not get theirs

Coleman: they are apparently not done with there until July 1, 2003 is the effective date, so that will fall into the next biennium. They receive the money 6 months after the effective date.

Chairman Kelsch: That would be part of this money or part of the appropriations from last

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session? **Decker:** unless you make the provision to carryover, part of the appropriations would not be there to pay them because it will be due about Dec. 1, 2003. In the current language whatever dollars are there. In the current language we don't know if we are going to have carryover until about December of 2004. and the payment is due Dec. 03.

Chairman Kelsch I understand that, where is the 2M that was appropriated last session.

Decker: Part of it was paid out in bonuses, 1.1M and with .5 going as turn back. Because we didn't have any more bonuses to pay this biennium, and the only money that we needed to have on hand was potential advances on bonuses. **Chairman Kelsch** it got sent out based on ADM **Rep. Herbel** I'm going to oppose Section 29, because I don't like the incentive to reorganize. It should be the right thing to do not on how much you get paid.

Rep. Jon Nelson Berthold will have to wait well into the next biennium. I don't know how to handle that one. This has been one of the shining stars out there, moving things forward and successful ones are used as an example around the country. It is building a ground swell.

It is proactive, with less resentment, brings in some dollars, and we need to address the Berthold issue. **Rep. Hunskor** I have an amendment for the Berthold situation, may I share it with you.

Rep. Hawker: Where did the other .5M go. **Chairman Kelsch:** it was 1.5 for reorganization and .5M for JPA, it comes out of the carryover dollars.

Rep. Hunskor This amendment goes under section 11, the cover sheet of this letter explains the history of the reorganization and Berthold's story. This is a difficult situation for people to understand. Read the amendment See Attached. **Rep. Hanson** Who told them the money was there.

Chairman Kelsch There reorganization did not happen fast enough to be completed and 6

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months before the end of the biennium. The appropriation was done on June 30, 03 and the reorganization starts on 7/1/03, it should have rolled over and be made available to them.

Rep. Hunsakor: I sat in on those meetings with these folks and heard this over and over that the money would be there for them.

Rep. Sitte Tom Decker, were they informed that the money was there.

Decker: yes, the problem is the timing of how the money flows (end of tape)

Rep. Hanson How much was carried over

Chairman Kelsch It went back through ADM, 1.1M

Coleman: Turned back to general fund **Chairman Kelsch** So there is about .5M that will get turned back at the end of the biennium. We need to add this section in, what are your feeling on this amendment.

Rep. Jon Nelson The money is in contingency fund until the end of the biennium, can we re-appropriate it. **Chairman Kelsch** J e can we appropriate it out of there.

Joe, OMB: The problem is that there was 1.6M in that line, they paid out about 1.1M, and then took about 350K for the allotment so when the allotment was ordered and they had to reduce their general fund expenditures and turn a certain amount back, it was targeted towards that line because they were not expecting to pay it out. And then they paid out 15K for the advances on bonuses. There is less than 100K left. **Rep. Hawken:** Explanation of the allotment

Chairman Kelsch It was the across the board cut that the departments had to go through.

Rep. Herbel we should follow through on a promise, then stop with the incentives.

Chairman Kelsch would you like to See the amendment go in. passed voice vote.

Section 29: Reorganization bonuses, defeated, remove this section.

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Section 30: Teacher compensation, procedural, passed

Section 31: School district received an increase in Foundation aid , 70% of the money must go to teacher compensation. passed

Section 32 Supplemental 5M payment, passed

Section 8: Rep. Herbel moved to go with the mills amendment on Section 8, to go to 32/34, second by **Rep. Meler** Discussion **Rep. Jon Nelson** : I really feel uncomfortable voting on this until I know how much money we are putting back into the formula.

Chairman Kelsch As it sits right now, we are putting 5M back into the formula. You vote how you would like to vote on this amendment and #2 the amendments as a whole, as to how you feel about the funding level. roll vote is 8-5-1, passed

Section 16: if we leave this as the 21.5/22.5. Is everyone in favor of letting Anita amend this section to be 21.5/22.5 just like the Senate sent over and if we want to make a change it in the morning we can., yes.

Rep. Sitte I would like a clarification. If we are adding to this base, whatever we put in here is going to double when it gets to the top. (Yes.) That is really is defeating what we are trying to do here, we are not trying to pad those at the top we are trying to help those at the bottom to come up and get a living wage, so that we don't have every graduate leaving the state. I wish we could de-couple in some way.

Rep. Mueller In response to that , that in not what this amendment is talking about. it is saying at the bottom these will be the base salary, what occurs is the change that goes on all the way up.

Rep. Hanson I think we ought to find out how many mills some of the schools that have a low starting wage are levying. Some of them are as low as 10 mills, and if they have a base of 20K it

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won't hurt them to bump it up there.

Rep. Sitte That is actually how I interpreted it, then lets add some more intent language to make it more explicit.. **Chairman Kelsch** you could if you want to .

Rep. Hanson we put an amendment on that two years ago

Rep. Herbel we have to look at how ~~is~~ on the bottom of that index. We need to consider if raising the bottom of the salary schedule and not get enough money to cover the raises, regardless of the declining enrollment. My concern is if we are going to mandate a higher based salary we should put the money there. 5M will be inadequate.

Rep. Williams I certainly don't think we need to be in conflict in the law with what goes on in negotiations. That is something that has to be worked out in the local level.

Rep. Hunskor We have a ton of little problems, and if we could have not 5M but 11.4 would that not take a lot of these problems away.. **Chairman Kelsch** you are correct, we need an revenue enhancer. **Rep. Jon Nelson** so you want a cigarette tax

Chairman Kelsch we are taking a five minute break.

Transportation Block Grants: **Rep. Herbel** moved to accept the block grant for the transportation.

Rep. Sitte We need to keep some of the reporting so that we have a base figure on what is happenings, so if they are being more efficient with it, if we are freeing their hands.

Rep. Herbel We are going to benefit those who are cheating, it will give us some greater efficiencies to free up money that they can use elsewhere. **Chairman Kelsch** perhaps the new

vans **Rep. Mueller** I thought we were going to consider this in the morning.

Rep. Herbel I withdraw my motion.

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Chairman Kelsch Something that has come up, the education fact finding commission for the appointment and the terms. Currently the way the commission is made up, there is no representation of a teacher, the representation is strictly school board member and superintendents. This would require that at least one member must be a teacher, current or retired from active teaching and at least one member must have had experience as a school board member. Just to assure that there is representation from school boards and teachers.

Rep. Hanson are the same people appointing the membership, Chairman Kelsch yes, this would put into code the requirements of the membership.

Rep. Meier We are asking that the teacher be a retired teacher

Chairman Kelsch they may be a current teacher or a retired teacher.

Rep. Hanson moved the amendment, Rep. Jon Nelson second the motion

Rep. Hawken: The amount of time that they meet is very demanding so I would hope that it would not conflict. **Chairman Kelsch** It must have had experience

Voice vote on the amendment, passed

Section regarding the increase in teacher compensation, there has been an amendment proposed that says: Within 30 days of the close of the 58th legislative session the Department of Public Instruction will submit to each school district and to each teacher bargaining unit a statement itemizing all new moneys that will be paid to that school district for each year of the 2003/2005 biennium. It has come to my attention that in order to do this we would have to emergency clause on the bill. And I am afraid that this bill would not pass if it had an emergency clause on it. Department of Public Instruction come forward.

Chairman Kelsch Without putting this into statute could you please agree to do this.

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Tom Decker: Yes, we can provide them with the best numbers possible.

Rep. Hawken: if we actually have to fund it and come up with the money we might as well try to bring it up on our side. **Rep. Jon Nelson** In the Governor's budget the 35 cent tax was included for not only education but a number of programs, we can piece mail this for education, but we have opened up our vision in this committee. If I were making an amendment I would include the cigarette tax and add it to the bill.

Rep. Hawken: It has had a hearing. **Rep. Hanson** is there a tobacco tax still alive any place **Chairman Kelsch** 2182 is still alive because we have not killed it. we could hog house the bill reviewed the runs on how many schools are affected at what levels.

Rep. Mueller I'm going to suggest, not move, that we dump the whole minimum salary issue. Given what it is that we have talked about, difficulties with it, ripple effect, and the ramifications of it, we are creating a bigger problem.

Rep. Mueller : I move that we strike section 16, **Rep. Sitte** seconded

Vice Chair Johnson If we are looking for new revenue sources maybe I will wait for that discussion tomorrow morning.

Rep. Mueller I don't see how that is going to change the difficulty of this issue. Because we creating a ripple effect. That will not be the end of it, who ever they have on salary they are going to say what about me!

Chairman Kelsch we have a motion on the table, we will try voice vote. (both very loud)

We will review this tomorrow. reconvene at 7:30 AM

Rep. Sitte pass around a letter from the ND reading assoc.

Chairman Kelsch would they do it as a pilot **Rep. Meler** I think we should do it

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2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. SB 2154
House Education Committee

Conference Committee

Hearing Date April 1, 2003

Tape Number	Side A	Side B	Meter #
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Committee Clerk Signature <i>Made Fiechter</i>			

Chairman Kelsch opened the committee work on SB 2154.

working of amendments LEGISLATIVE COUNCIL 38241.0316

The changes to the amendment from yesterday are in Section 2, sub 2&3, relating to the change to an elementary district prohibited. Section 6, the amendment for the fact finding commission, Section 17, annual salaries at 21.5/22.5, left the same as Senate version. Section 30, 500K for reorganization bonus, Berthold reorganization.

Rep. Hanson page 1, bottom, beginning July 2, 2003, how come?

Anita Thomas, Legislative Council : That takes care of the Center Stanton issue. There reconfiguration takes place on July 1, 2003.

Rep. Sitte does that mean, section 3, will effect other schools.

Chairman Kelsch no, The reason we did that is that if they don't do it by July 1, they have to dissolve or reorganize within the next year.

Tom Decker, Department of Public Instruction : Section 2, sub 3 after twelve 'and is not eligible to participate in an approved cooperative,' after district, 'with in a year.' and remove 'before July 1, 2004.' Chairman Kelsch I don't think we need the Section 2, remove sub 3.

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Anita Thomas: I think that is correct.

Chairman Kelsch what do you think committee, remove subsection 3

Rep. Sitte I want to make one more pitch for the reading amendments. If there is a little bit of money, the ones that reach reading would really like to have this 400K allocated for materials for this program. Only 20 schools can get this materials through a 2M grant from the federal govt.

Why not try this?

Rep. Sitte I move that we adopt this program, **Rep. Meier** second the motion

Discussion: Rep. Jon Nelson Schools can choose what reading program they want now and have money to purchase the supplies in their existing budget. **Rep. Sitte** yes, but teachers say they have no money **Rep. Jon Nelson** but we don't mandate curriculum, lets fund education enough so that they came choose. **Rep. Sitte** I think schools follow fads, this program is costly, so that is why I want to do it as a pilot program. **Rep. Herbel** We had a bill earlier this week that added curriculum and was defeated, to much money. This is the same thing. I'm going to oppose.

Rep. Hawken: What if we did a matching grant program with Department of Public Instruction, small pilot that two or three school districts can apply for.

Chairman Kelsch a true pilot, so if you did a 100K and they matched it up to 100. W

Rep. Hawken: We all agree this is a marvelous program, that is not the issue, can we afford to fund that today., I am looking for alternatives

Rep. Norland concur with Rep. Jon Nelson I don't feel that this amendment belongs on this bill it is not our job to dictate curriculum, let schools decide. We can't tie any more to this bill.

Rep. Sitte Showed charts. 34 years of research, 20 schools to take advantage of this, we should look at learning to read better in the 1st grade.

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Rep. Mueller: the concern is we could go through all aspects of the curriculum and pick the best, but it is not our job to do that.

voice vote failed

handed out the printout requested from yesterday. committee reviewed the handout

Rep. Hanson it looks like most of them are elementary districts

Chairman Kelsch that is what it looked like to me as well

Rep. Jon Nelson I move to strike Section 17, **Rep. Mueller** second the motion

Rep. Jon Nelson the reason that I put this out here, is because there is still uncertainty about the funding mechanism for education, I just can't absolutely vote on for putting a minimum salary in place for schools that will be receiving less money. If we had better information and better numbers, that could be something to be revisited, but not at this time.

Rep. Mueller I am going to resist for the same reasons yesterday, and that is the ripple effect doing up that salary schedule that I see the havoc that will be created by requiring a minimum base that certainly has to be considered the rest of the salary schedule. We are all sadly aware that the dollars are not there for these raises.

Rep. Hanson I want to oppose that motion, if we are ever going to get those teachers salaries up close to where they should be, we have to have a minimum base. We should have a salary schedule for the whole state, just one.

Rep. Sitte Since we can't de couple the schedule, I will have to vote in favor of this motion.

Rep. Meier I am going to resist that motion.

roll vote: (removal of Section 17) failed 4-9-1

Rep Hawken: I have two concerns, this is not a bad idea at all. Rep. Hanson and I have been

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trying to get this thing studied and fixed for a couple of sessions. My concerns are in the area of special needs children, because districts do not know how IEP will effect the transportation.

Rep. Hunskor Maybe we have to bite the bullet, so we don't band aid all the time. Maybe we have to put enough money up there so we don't have to tweak and band aid this.

Rep. Jon Nelson What the previous speakers have said is true. But there is so much waste in transportation, because of the fact that there is a counting that is done for non ridership. I would much rather fund declining enrollment then empty buses. We have gone long enough in this state, funding a transportation program that is outdated, it is not being utilized and lets try to put that program back into the local hands and see if they can make some efficiencies an a local effort. I envision a local district getting rid of there transportation and adding curriculum. they could buy reading books with that bus money. Making a commitment to help students rather than making sure the dollars are coming in to run a bus up and down a road with no one in it.

Rep. Herbel I agree with Rep. Jon Nelson we are not giving them less money, we can even put a sunset clause in this, We will revisit it next year anyway. This gives the schools an option to become more efficient.

Rep. Hawken: Can school district share transportation, is that legal. **Chairman Kelsch** yes.

Rep. Mueller Thank you for allowing us to go back home and get information from out people. In visiting with the superintendents expressed some concern because they have not been heard on the issue. The reasons they said for me to oppose this was fear of the unknown, they are also concerned about the history of block granting where it is chipped away and soon no money is left for transportation.

Rep. Norland feel both ways on the block grant, but it gives them the opportunity to use their

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money differently. I may eliminate jobs in the community.

Rep. Sitte I agree and ask that they keep a record and raise the per mile later on the actual amount driven in two years.

Rep. Herbel moved to accept the block granting for transportation, **Rep. Meler** seconded.

Voice vote passed

Rep. Jon Nelson moved a **DO NOT PASS** on SB 2154, **Rep. Solberg** second

Rep Hawken: I'm not sure what our options are do or should we be amending this bill and then passing it out.

Rep. Solberg **Rep. Hunsakor** had a very good point, it is all about money, we are fixing and hurting someone else .I am going to support the DNP

Rep. Mueller we don't have enough money, I am going to support the DNP

Rep. Williams called for a question.

Roll vote: 13-0-1, bill assigned to Chairman Kelsch to carry to the floor.

Rep. Hunsakor I am concerned about my amendment for Berthold

Chairman Kelsch we will probably be back tomorrow to work on this, but the message has been sent.

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2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. SB 2154
House Education Committee

Conference Committee

Hearing Date April 2, 2003

Tape Number	Side A	Side B	Meter #
1	x		00-end
Committee Clerk Signature <i>Linda Siechman</i>			

Chairman Kelsch called the committee to order to work on SB 2154.

Rep. Jon Nelson moved to reconsider the action of DNP on SB 2154, Vice Chair Johnson seconded the motion. Motion passed with a voice vote.

Chairman Kelsch reviewed the Legislative Council 38241.0318 amendment.

Section 3 per pupil payment goes to 2509/2633. and page 17, section 31, we needed to add this back in it is for turn back dollars to go out based on ADM, standard language.

Page 3 at the bottom, (a) should that be 34 mil if we are doing 34/36, never mind that is correct.

The amount that was put in the bill was 10M.

Rep. Mueller can you elaborate, is this on top of the Senate version.

Chairman Kelsch Yes this is,

Rep. Mueller so this means it is about 19.4 with the 5M supplemental payments

Chairman Kelsch yes so it is about 22-24M . Foundation Aid- 6M, House- 10M, Supplemental- 5M, transportation- 36M with a total 57M

Rep. Norland moved to accept the amendments Legislative Council 38241.0318, Rep.

Herbel seconded the motion, passed with voice vote.

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**Rep. Norland moves a DO PASS as amended and rereferred to Appropriations, Rep. Meier
second the motion.**

Roll vote: 9-4-1, Chairman Kelsch will carry the bill to the floor.

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PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact sections 15.1-27-04, 15.1-27-06, 15.1-27-07, 15.1-27-37, and 15.1-27-39 of the North Dakota Century Code, relating to per student payments, weighting factors, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to provide legislative intent regarding distribution of contraceptives and sex education; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
 - a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited. A high school district may not become an elementary district.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.

2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 5. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two~~ ~~four~~ hundred ~~eighty-seven~~ ~~ninety~~ dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three~~ ~~six~~ hundred ~~forty-seven~~ ~~fourteen~~ dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 6. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ ~~eighty-five~~ percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ ~~eighty-five~~ percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

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SECTION 7. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - ~~Weighting factors~~ - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of

education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year

average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 8. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.

3. a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
- b. ~~Except as provided in subdivision e, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002 2003.~~
- b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
- c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
- d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 9. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-two thousand five hundred dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-three thousand five hundred dollars.

SECTION 10. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 11. CONTINGENT PAYMENTS - REORGANIZATION BONUSES - JOINT POWERS AGREEMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for per student payments and transportation payments in the grants - state school aid line item

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In Senate Bill No. 2013 will exceed the total of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute:

- a. The first \$2,000,000 of the excess amount as reorganization bonus payments to school districts, pursuant to section 15.1-12-11.1; and
- b. Any remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 12. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 13. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION. Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and transportation payments during the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

SECTION 14. LEGISLATIVE INTENT - USE OF STATE FUNDS FOR DISTRIBUTION OF CONTRACEPTIVES PROHIBITED - SEX EDUCATION. It is the intent of the legislative assembly that the board of a school district not use state funds to operate a program that distributes condoms or other contraceptives in schools and that the board of a school district not use state funds to deliver courses or provide materials that promote or encourage sexual activity. It is also the intent of the legislative assembly that the board of a school district ensure that all sexual education classes are age-appropriate and emphasize abstinence.

SECTION 15. APPROPRIATION - READING PROGRAMS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$400,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing grants to school districts to assist with the purchase of eligible reading programs, for the biennium beginning July 1, 2003, and ending June 30, 2005. The superintendent of public instruction shall develop a process for grant applications and shall consider the applications in the order received. The superintendent of public instruction may not award to a school district a grant that exceeds the product of ten dollars times the number of students enrolled in kindergarten through grade four in the school district. For purposes of this section, an eligible reading program is one that provides to students in kindergarten through grade four explicit, systematic instruction in phonics, phonemic awareness, decoding, word recognition, vocabulary, and text comprehension.

SECTION 16. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

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PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact subsection 5 of section 15.1-09-36, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
- a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited. A high school district may not become an elementary district.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

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1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation~~ state aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 5. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

DP **State board of public school education - Approval of elementary districts prohibited.** The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 6. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation~~ state aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 7. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two~~ four hundred ~~eighty-seven~~ ninety dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three~~ six hundred ~~forty-seven~~ fourteen dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 8. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid~~, and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty-two~~ thirty-four mills times the latest available net assessed and equalized valuation of property in the district.

2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1.~~ a. The product of ~~thirty-two~~ thirty-six mills times the latest available net assessed and equalized valuation of property in the district.
 - ~~2.~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars.
2. Beginning July 1, 2005, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year, until the number of mills used by the superintendent of public instruction reaches an equity index equal to twenty-five percent of the state average school district general fund mill levy. Upon reaching the equity index, the superintendent of public instruction shall annually adjust the number of mills in order to remain at the equity index.
3. Whenever the legislative assembly considers increases in state aid to education, the legislative assembly shall also review the rate established by subsection 2 for reaching the equity index and determine whether that rate should be increased proportionately.

SECTION 9. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference

between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.

6. In order to be eligible for enumeration under this section, a student:
- Must have completed the work of the eighth grade;
 - Must not have completed the work of the twelfth grade; and
 - Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

DP SECTION 10. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

- Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
- Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the

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superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for

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school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 11. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state aid~~ state aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

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SECTION 12. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 13. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid.~~

SECTION 14. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 15. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

- DP
1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of provided to teachers employed by the district during the 2002-03 school year.
 2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of the ~~increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
 3. a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the~~

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~~number of full-time equivalent teachers employed by the district as of September 15, 2001.~~

- ~~b. Except as provided in subdivision a, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002 2003.~~
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
 - d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
 5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 16. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2004-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a ~~base salary level of salary~~ for the contract period equal to at least ~~eighteen~~ twenty-two thousand five hundred dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-three thousand ~~five~~ five hundred dollars.

SECTION 17. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.

- b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
- a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3. a. The superintendent of public instruction shall forward all ~~per student and transportation state aid~~ payments for a student attending an out-of-state school to the student's school district of residence.
- b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.
- c. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~
4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 18. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

- 1. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district ~~and the admitting district is then entitled to state payments for the transportation of the student.~~

SECTION 19. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

1. a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
- b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
- c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation~~ state aid otherwise payable for the nonresident student.
2. a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
- b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
- c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
- d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.
- e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 20. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:

- a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
2. The student's school district of residence is obligated to pay:
- a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3. a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
- b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per-student and transportation~~ state aid to schools:
- (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.
4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.
5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per-student payments and transportation~~ state aid otherwise payable to the

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student's school district of residence until the tuition due has been fully paid.

6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student state aid payments and transportation aid to schools~~ state aid payments and transportation aid to schools in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation state aid to schools~~ state aid to schools.
8.
 - a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
 - (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.
 - b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 21. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

1. The board of a school district may:

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- a. Provide for the transportation of a student to and from school; or
- b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 22. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 23. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.
- c. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 24. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 25. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not

address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.

2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3. a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 26. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 27. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that

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which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.

4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 28. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 29. CONTINGENT PAYMENTS - REORGANIZATION BONUSES - JOINT POWERS AGREEMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute:

- a. The first \$2,000,000 of the excess amount as reorganization bonus payments to school districts organizing after July 1, 2003, pursuant to section 15.1-12-11.1; and
- b. Any remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 30. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 31. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION. Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and transportation payments during the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

SECTION 32. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts

under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 33. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 34. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

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Date

Date: 3/31/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

House HOUSE EDUCATION Committee

Check here for Conference Committee

Section 8 of amendment

Legislative Council Amendment Number

LC 38241.0315

Action Taken

Motion Made By

Herbel

Seconded By

Meiers

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓				
Rep. Johnson	✓				
Rep. Nelson		✓			
Rep. Haas	AB				
Rep. Hawken	✓				
Rep. Herbel	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Hanson	✓				
Rep. Hunsakor		✓			
Rep. Mueller		✓			
Rep. Solberg		✓			
Rep. Williams		✓			

Total (Yes)

8

No

5

Absent

1

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

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Operator's Signature

10-16-03
Date

Date: 3/31/03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2157

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken withdrawn trans.

Motion Made By Herbel Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunsakor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Y. Hernandez 10-16-03
Operator's Signature Date

handwritten
Amendment

Date: 3/31/03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number Education Fact Finding Comm.

Action Taken Do Pass Amendment

Motion Made By Hanson Seconded By Mueller

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunskor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) _____ No _____

Absent Will vote

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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SECTION 13. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ state aid payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 14. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid~~.

SECTION 15. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 16. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year ~~to increase the~~ at least maintain the level of compensation provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in~~ any compensation increases provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.

3. a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision a, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002 2003.~~
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
 - d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
 5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 17. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-two thousand five hundred dollars.

SECTION 18. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:

- a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
- a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3. a. The superintendent of public instruction shall forward ~~all per student and transportation state~~ aid payments for a student attending an out-of-state school to the student's school district of residence.
- b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.
- c. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~
4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 19. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district ~~and the admitting district is then entitled to state payments for the transportation of the student.~~

SECTION 20. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

1.
 - a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
 - b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
 - c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation~~ state aid otherwise payable for the nonresident student.
2.
 - a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
 - b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
 - c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
 - d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.
 - e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.

3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 21. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3.
 - a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
 - b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools:
 - (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.

4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.
5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation state aid~~ otherwise payable to the student's school district of residence until the tuition due has been fully paid.
6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student state aid payments and transportation aid to schools~~ in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation state aid to schools~~.
8.
 - a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
 - (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.
 - b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.

- c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 22. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 23. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 24. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.

- e. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established school bus routes necessitated by a contract pursuant to this subsection.~~

SECTION 25. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 26. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3. a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 27. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 28. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 29. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 30. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 31. CONTINGENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to average daily membership of each school district during the 2004-05 school year.

SECTION 32. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 33. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION. Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and transportation payments during the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

SECTION 34. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 35. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 36. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

2003 HOUSE APPROPRIATIONS

SB 2154

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Yheresa J. Lee
Operator's Signature

10-16-03
Date

Date: 4-7
 Roll Call Vote #: 7

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2154

House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DRAA

Motion Made By Brusegaard Seconded By Monson

Representatives	Yes	No	Representatives	Yes	No
Rep. Svedjan (Chairman) ①	✓		Rep. Glassheim		✓
Rep. Timm (Vice-Chairman) ②	✓		Rep. Kroeber		✓
Rep. Martinson ③	✓		Rep. Warner		✓
Rep. Brusegaard ④	✓		Rep. Delzer		✓
Rep. Monson ⑤	✓		Rep. Warnke ①	✓	
Rep. Rennerfeldt ⑥	✓		Rep. Bellew		✓
Rep. Wald ⑦	✓		Rep. Kempenich		
Rep. Aarsvold		1 ✓	Rep. Kerzman		✓
Rep. Gulleason		2 ✓	Rep. Metcalf		
Rep. Carlisle ⑧	✓				
Rep. Carlson		3 ✓			
Rep. Koppleman ⑨	✓				
Rep. Skarphol ⑩	✓				
Rep. Thoreson ⑪	✓				

4
5
6
7
8
9

Total (Yes) 12 No 9

Absent 2

Floor Assignment Monson

If the vote is on an amendment, briefly indicate intent:

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Yvonnea J. Lee 10-16-03
 Operator's Signature Date

REPORT OF STANDING COMMITTEE (MAJORITY)

SB 2154, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) A MAJORITY of your committee (Reps. Svedjan, Timm, Martinson, Brusegaard, Monson, Rennerfeldt, Wald, Carlisle, Koppelman, Skarphol, Thoreson, Warnke) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

In lieu of the amendments adopted by the House as printed on pages 1200-1214 of the House Journal, Reengrossed Senate Bill No. 2154 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact subsection 5 of section 15.1-09-36, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
 - a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.
2. Subsection 1 does not apply to elementary school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation state~~ aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 5. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 6. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation state~~ aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 7. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two~~ five hundred ~~eighty seven~~ nine dollars. The per student payment to which each school

district is entitled for the second year of the biennium is two thousand ~~three six~~ hundred forty seven thirty-three dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 8. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty-two~~ thirty-four mills times the latest available net assessed and equalized valuation of property in the district.
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1.~~ a. The product of ~~thirty-two~~ thirty-six mills times the latest available net assessed and equalized valuation of property in the district.
 - ~~2.~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars.
2. Beginning July 1, 2005, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year, until the number of mills used by the superintendent of public instruction reaches an equity index equal to twenty-five percent of the state average school district general fund mill levy. Upon reaching the equity index, the superintendent of public instruction shall annually adjust the number of mills in order to remain at the equity index.
3. Whenever the legislative assembly considers changes in state aid to education, the legislative assembly shall also review the rate established by subsection 2 for reaching the equity index and determine whether that rate should be adjusted proportionately.

SECTION 9. AMENDMENT. Section 15.1-27-C of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as

provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:

- a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
- a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 10. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
- b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in

which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.

- c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
 3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
 4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment

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Date

provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.

8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 11. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state aid~~ state aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 12. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ state aid payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 13. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid~~.

SECTION 14. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per-student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 15. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year ~~to increase the~~ at least maintain the level of compensation provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision a, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002 2003.~~
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.

- d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 16. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount.

1. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, ~~a~~:
- a. A minimum salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars; or
- b. Total compensation for the contract period equal to at least twenty-six thousand dollars.
2. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, ~~a base~~:
- a. A minimum salary level for the contract period equal to at least ~~twenty~~ twenty-two thousand ~~five hundred~~ dollars; or
- b. Total compensation for the contract period equal to at least twenty-seven thousand five hundred dollars.

SECTION 17. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
- a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
- b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.

- c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3.
 - a. The superintendent of public instruction shall forward all ~~per student and transportation state~~ aid payments for a student attending an out-of-state school to the student's school district of residence.
 - b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.
 - e. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~
4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 18. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district ~~and the admitting district is then entitled to state payments for the transportation of the student.~~

SECTION 19. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

1. a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
- b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
- c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation~~ state aid otherwise payable for the nonresident student.
2. a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
- b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
- c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
- d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.
- e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 20. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3.
 - a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
 - b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools:
 - (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.
4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.

5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation~~ state aid otherwise payable to the student's school district of residence until the tuition due has been fully paid.
6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student~~ state aid payments and transportation aid to schools in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools.
8. a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
 - (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.

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10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 21. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 22. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 23. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.
- c. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 24. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 25. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3. a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 26. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

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SECTION 27. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 28. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 29. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 30. CONTINGENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to average daily membership of each school district during the 2004-05 school year.

SECTION 31. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 32. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$4,500,000; or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 33. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 34. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE (MINORITY)

SB 2154, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) A MINORITY of your committee (Reps. Aarsvold, Gulleson, Carlson, Glassheim, Kroeber, Warner, Delzer, Bellew, Kerzman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

In lieu of the admendments adopted by the House as printed on pages 1200-1214 of the House Journal, Engrossed Senate Bill No. 2154 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact sections 15.1-16-02, 15.1-27-04, 15.1-27-06, 15.1-27-07, 15.1-27-37, and 15.1-27-39 of the North Dakota Century Code, relating to per student payments, weighting factors, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
 - a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.
2. Subsection 1 does not apply to elementary school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 5. AMENDMENT. Section 15.1-16-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-16-02. Education factfinding commission - Appointment - Terms - Quorum.

1. The education factfinding commission consists of three members ~~experienced in educational activities~~, at least one of whom must be a teacher or a retired teacher and at least one of whom must have served as a member of a school board. One member is appointed by the governor, one member is appointed by the superintendent of public instruction, and one member is appointed by the attorney general. The member appointed by the superintendent of public instruction shall serve as the chairman of the commission.
2. The term of each commission member is three years staggered.
3. If a vacancy occurs, the individual who appointed the member to be succeeded shall appoint a new member to serve only the unexpired term of the member to be succeeded.
4. Two members of the commission constitute a quorum.

SECTION 6. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two~~ four hundred ~~eighty-seven~~ eighty dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three~~ five hundred ~~forty-seven~~ sixty-nine dollars. The per student amount is the basis for

calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 7. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.625 adjusted by eighty-five percent of the difference between 1.625 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.335 adjusted by eighty-five percent of the difference between 1.335 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.24 adjusted by eighty-five percent of the difference between 1.24 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.14 and the factor

representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.14 adjusted by eighty-five percent of the difference between 1.14 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 8. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.28 and the factor representing the five-year average cost of

education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.28 adjusted by eighty-five percent of the difference between 1.28 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.

- b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.09 adjusted by eighty-five percent of the difference between 1.09 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
 3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty percent of the difference between education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is .905 adjusted by eighty-five percent of the difference between .905 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this

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subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor ~~seventy-five~~ eighty percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is .95 adjusted by eighty-five percent of the difference between .95 and the factor that represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.01 adjusted by eighty-five percent of the difference between 1.01 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is 1.01 adjusted by eighty-five percent of the difference between 1.01 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty percent of the difference between education per student for this category, as determined by the superintendent of public instruction,

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by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is .50 adjusted by eighty-five percent of the difference between .50 and the factor that represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 9. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year ~~to increase the~~ at least maintain the level of compensation provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and

- c. The total amount of the increase in any compensation increases provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3. a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
- b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002~~ 2003.
- b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
- c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
- d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 10. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-two thousand five hundred dollars.

SECTION 11. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its

findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 12. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 13. CONTINGENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to average daily membership of each school district during the 2004-05 school year.

SECTION 14. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 15. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION. Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and transportation payments during the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

SECTION 16. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 17. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

2003 SENATE EDUCATION

CONFERENCE COMMITTEE

SB 2154

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Reengrossed SB 2154

Senate Education Committee

Conference Committee

Hearing Date 4-11-03

Tape Number	Side A	Side B	Meter #
1	x		0 - 3915

Committee Clerk Signature *Linda Johnson*

Minutes: CONFERENCE COMMITTEE CHAIRMAN FREBORG called the committee to order

with all members present.

Senators

Representatives

Freborg
Flakoll
Christenson

R. Kelsch
D. Johnson
Hanson

REPRESENTATIVE KELSCH briefly explained the bill to the committee members. (Second engrossment with House Amendments)

- Sec. 1. Long term planning process
- Sec. 2. Prohibits a high school district from becoming an elementary district, but does lay out that school districts participating in a cooperative agreement are exempt from this section
- Sec. 3. Cleanup language, left out during 2001 session
- Sec. 4. Cleanup language, regarding the transportation block grant payment
- Sec. 5. There may not be a reorganization plan that results in the creation of an elementary district (taking a high school district down to an elementary district)
- Sec. 6. Cleanup language regarding the transportation block grant payments in this bill
- Sec. 7. Lays out the per student payment and sets them at \$2509 first year of biennium, and \$2633 the second year. This reflects the \$10 million increase in foundation aid and the difference between the Senate version of 36 and 38 mills and the House version of 34 - 36 mills. This is the 34 mills.

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Senate Education Committee

Bill/Resolution Number Reengrossed SB 2154

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- Sec. 8. This raises the mills from 32 to 34 mills the first year and 34 - 36 mills the second year of the biennium and escalates this up 2 mills every year until we get to 25% of the statewide general fund mill levy (average fund mill levy) which is now at 190 mills. 25% of that is 47.7 % which is achievable by 2019 - 2011.
- Sec. 9. This is the weighting factors which is the same as the Senate had sent the House with the increase in the weighting factors taking the 5 year average from 85 to 100 and left off the payments as what the Senate had put in there. Did not keep the cut off category in the bill but went back to the five weighting factor categories that are currently in law.
- Sec. 10. Same language, in regard to elementary school students
- Sec. 11- 14. All cleanup language regarding the block grant for transportation payment
- Sec. 15. Sustains the FTE payment to teachers during the last session, all teachers are included
- Sec. 16. Deals with the minimum salary level. Left at same amount that came out of Senate Appropriations (\$21,000 the first year and \$22,500 the second year of the biennium). House appropriations added in an amendment that says total compensation for the contract period equals to at least \$26,000 the first year and \$27,500 the second year of the biennium. That was put in to alleviate an issue where some districts pay the school's share as well as the employee's share of TFFR.
- Sec. 17 - 26. Cleanup language for the block grants for transportation
- Sec. 27. Distribution for transportation block grants

SENATOR FREBORG asked if we take Section 27 first, and if adopted, all the rest of the sections dealing with transportation block grants will follow.

- Sec. 28. Legislative Council Study on alternative funding methods for education
- Sec. 29. This is the appropriation for \$500,000 for reorganization bonus (This is basically for the Berthold reorganization that happened effective July 1. During the last legislative session, there was money available for reorganization bonuses. The Department had paid out \$1.1 million in reorganization bonuses, and there should have been \$500,000 left in the fund. When the governor called for cuts in July, the department took the allotment payment out of that \$500,000 and there was \$105,000 left in the reorganization bonus dollars. That \$105,000 is enrolled into another project and so there was no money left for Berthold's reorganization).
- Sec. 30. Lays out the per student payment and if all statutory obligations are met, the rest of the money would be paid out based on ADM.
- Sec. 31. Teacher compensation reimbursement. If there are monies left over after all the teachers have been compensated for sustaining their pay increases, that would be paid out based on ADM.
- Sec. 32. Appropriation for supplemental payments, which is a \$500,000 decrease from the Senate version. This is the \$500,000 that is in the reorganization bonus.
- Sec. 33. These are the repealers that go along with the transportation
- Sec. 34. This is the effective date.

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SENATOR FREBORG stated that Section 9 and 10 (the weighting factors) had come out of the Senate and if no objections, we could vote on this bill a section at a time and then on the entire bill. The committee was in agreement with this.

REPRESENTATIVE KELSCH stated the class weighting factor categories are not in this section, and this would be just going 85 and 100 and keeping the 5 categories.

REPRESENTATIVE KELSCH moved Sections 9 and 10. Seconded by SENATOR FLAKOLL. Roll Call Vote: 6 YES 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt Section 28. Seconded by REPRESENTATIVE D. JOHNSON. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

Discussion on Section 15. This maintains exactly what was done in the present biennium.

REPRESENTATIVE KELSCH moved to adopt Section 15. Seconded by SENATOR FLAKOLL. SENATOR FLAKOLL asked about Section 15. He asked about the number of teachers in the appropriation part of the bill (8445). How does this compare with where we are today. REP. KELSCH stated we are sitting about where we were last biennium. The increase in teachers came several sessions ago when the increase was seen in support staff for technology.
REP. KELSCH withdrew her motion and SENATOR FLAKOLL withdrew his second.

SENATOR FREBORG asked to discuss Sections 2 and 5.

REP. D. JOHNSON moved to adopt Sections 2 and 5. Seconded by SENATOR

FLAKOLL. SENATOR FLAKOLL asked if this section is fairly tight so they can't tuition the

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student out or beat the system. (In essence, we are not having an elementary district, but all the students open enroll out.) Is this fairly "bullet proof". REP. KELSCH said anything is possible. SENATOR FREBORG asked if a high school tuitioned out their high school students to an adjoining district and paid total costs, would they still be considered to be a high school district. REP. KELSCH stated technically yes.

TOM DECKER, DPI, spoke to the question. He stated if the district is not providing the grade level services in the district, they pay tuition. There are no circumstances where the above question would be true. He feels the law is sound.

REP. HANSON asked to return to Section 28.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON asked to return to Section 28. This is the Leg. Council Study. He would like to see this study do something this time! He feels a study is not doing any good and has not done any good on the matter of funding. He is okay with it in the bill. SENATOR FREBORG stated that we do get a lot of good information from these studies.

SENATOR FREBORG stated that we may want to be more specific on Sections 30 - 31 as to the application. We may want to state how to specifically apply those dollars.

SENATOR FREBORG is not sure on Section 29 if the \$500,000 should have come from this part of funding. He has a concern on JPA's, the formula change on supplemental payments, the dollars out of supplemental payments. There is a concern that there should be even more money in supplemental payments, but not sure if this is where to take the \$500,000. REP. KELSCH stated they are in agreement. As the bill came out of the House, the supplemental payments were intact at \$5 million and there was the \$10 million that was put in for foundation aid and there was

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an additional \$500,000 which the House felt was within the Appropriation committee's ability to find the \$500,000 to fund the reorganization bonus. The Appropriation Committee had taken the \$105,000 and reused it for something else, and it should have been used to help defray that \$500,000. The House is in agreement with the Senate that the \$5 million should be restored and the \$500,000 should be found somewhere else.

SENATOR FREBORG asked if we could then act on supplemental payments, the dollars in supplemental payments, and try to deal with dollars later. His thought is to get through everything in the bill that we can and talk about the \$10 million and the level of foundation aid later. If we are in agreement, we could restore the \$500,000.

SENATOR FREBORG asked the committee to study Section 32.

SENATOR FLAKOLL moved to change the \$4.5 million to \$5 million. Seconded by RE.

KELSCH. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt Section 32 as amended. Seconded by Rep.

Johnson. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FREBORG asked the committee to study Section 8, the mill levy deduct. It is reduced from what the Senate had wanted. He questions the equity index and isn't sure it would do any good. He feels we are sun setting something that we would want the courts to believe will go on forever and someday will provide real equity. He feels it serves no useful purpose because it probably will be changed or eliminated within one or two sessions. REP. JOHNSON feels this shows ND is moving in the right direction as to equity and it is addressing a possible lawsuit. It

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can be changed or addressed in a later session. REP. KELSCH felt the 25% is attainable within 7 years. This seems to address the issue with a goal in mind. The House felt this looked better than just raising the mills. It is a more defensible position. SENATOR FLAKOLL worries about a cap of 25%. It looks like maybe this could be perceived as a detriment as it is only for a short period of time. SENATOR CHRISTENSON stated the process is slow and asked if the courts will give latitude in that we are at least showing progress. REP. JOHNSON asked if this is in statute there is no question as to the intent. REP. HANSON asked if there is a time line on a court case. SENATOR FREBORG stated it is usually 3 - 6 years. The committee should think about this section.

The committee was adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Reengrossed SB 2154

Senate Education Committee

Conference Committee

Hearing Date 4-14-03

Tape Number	Side A	Side B	Meter #
1	x		21.8 - end
1		x	0 - 45.2
2		x	0 - 50.6

Committee Clerk Signature *Andrea Johnson*

Minutes: CHAIRMAN FREBORG called the committee to order with all members present. (The committee is using the Second engrossment with House Amendments)

REPRESENTATIVE HANSON requested DPI run on school districts with 21,000 or less enrollment and their mill levy.

SENATOR FREBORG asked about Section 3, subsection 2 of the bill (interim fund).

SENATOR FLAKOLL stated there is a mistake in that the section as to the date.

REPRESENTATIVE KELSCH stated Section 3 is just clean up language. As the bill was reread, what the legislature was trying to do last session and what was actually stated in code, was not correct. SENATOR FLAKOLL questioned Section 3, subsection 2, a and b. He asked if this was 100% of the school's budget. Yes. In sub section b. is the "current annual appropriation" the state appropriation. Yes. He thought the discussion had centered on "ending fund balance" and "budget". Wondered if the wording in Section 3 should be changed. REP.

KELSCH stated that it may be "all monies", not just annual appropriation. SEN. FLAKOLL

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asked about page 4, line 1 and 12, "unobligated general fund balance". Should this be "interim fund". REP. KELSCH stated that Anita Thomas could help with the correct wording.

SENATOR FLAKOLL asked about the date in Section 15, subsection 3, subsection d. JERRY COLEMAN, DPI, stated that was an error in the draft and it should read 2004 - 05 school year (page 13, line 18). Anita Thomas, LC, affirmed this.

REPRESENTATIVE HANSON moved to change page 13, line 18 to "2004 - 05 school year." Seconded by SENATOR CHRISTENSON. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL asked about the number of FTE's relative to the fiscal note. REP. KELSCH responded that the number she has is 7988.58 for the code 70 teachers (for the 2003 school year based on the MIS report).

JERRY COLEMAN, DPI, stated the numbers in the fiscal note reflect what was paid this fiscal year (2003) including guidance counselors, special ed teachers, etc. He used the actual ones that were paid out in determining the fiscal note. There could be some reconciliation changes. He doesn't think the report from the MIS includes all those. REP. KELSCH stated the number she has for the MIS report on all teachers is 8924.26. SENATOR FLAKOLL asked if this counts any of the carry over money. JERRY COLEMAN stated this does not consider any carry over dollars. REPRESENTATIVE HANSON asked if any teachers had been missed last time. MR. COLEMAN stated the number of teachers paid out this year were from the numbers sent them from the school districts. Someone did get left out, but there is language in SB 2404 that will correct this. (it was the 22 teachers at the Youth Correctional Center).

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SENATOR FLAKOLL moved to adopt Section 15 (Compensation of teachers) as amended.

Seconded by REPRESENTATIVE KELSCH. Roll Call Vote: 4 YES. 2 NO. 0 Absent.

Motion Carried.

ANITA THOMAS, LC, answered questions from SENATOR FLAKOLL regarding the terminology of interim fund. Part of the problem is using two different terms. One is interim fund and how much state aid a school district gets based on an ending fund balance. It was thought these were the same funds. However, the Tax Dept. stated these are two separate funds. It is the understanding of the committee that the interim fund is the ending fund balance. He thought that the wording that would be used from now on would be that no more than 50% of that fund plus \$20,000 could be in there before the department imposes a penalty on the amount of monies received from the state which is on page 4 under penalty. MS. THOMAS stated that was her understanding also, but not that of the Tax Dept. SENATOR FREBORG asked what happens to the ending fund balance since they are two separate funds. MS. THOMAS stated that she does not know how the monies would be meshed for use by the districts.

SENATOR FLAKOLL asked if games could be played with this. MS. THOMAS felt that could happen. SENATOR FLAKOLL asked if we are looking at all unobligated funds at the end of the year and they could be put into whatever category the district wants. MS. THOMAS will pursue language to address this concern. SENATOR FLAKOLL asked if the language on page 4, lines 1 - 3, and lines 12 - 14 mesh with other language on page 2 as to the language Ms. Thomas will work on.

SENATOR FREBORG asked the committee to review Section 16, the annual salary. He has a concern with the compensation. He stated the bill came out of the Senate Education Comm. with

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\$1000 plus \$500 for a total of \$1500 on the minimum base salary. It came out of the Senate Appropriation Comm. with a total of \$2500 which he feels was \$1500 and \$1000.

REPRESENTATIVE KELSCH stated that subsection b, in both places, came out of Appropriations. This was put in because of the concern for the districts that pay the school district's and the employee's share of TFFR. That was the intent of this that the compensation should be the base salary plus the TFFR payment. Compensation was not defined and it leaves it wide open. Her concern is that some districts may never get to the minimum base. She feels getting to \$26,000 and \$27,500 wouldn't take much when it came to the compensation end of it.

REPRESENTATIVE KELSCH stated that \$21,000 affects 57 teachers in 32 districts and \$21,500 affects 111 teachers in 58 districts. This could have a ripple effect on about 880 employees. SENATOR FREBORG asked what about a 3rd year teacher who is the lowest paid, what happens to the data then if they use that for their lowest paid teacher in the system, not a first time teacher, not a one year teacher. REPRESENTATIVE KELSCH stated then the data may look different. REP. KELSCH stated they just looked at what the reimbursement was, what the levels were based on, the data that had been received by the department during the last interim as of this last school year. There was discussion on the statistics sheets from DPI. The direct impact is where a district has to pay because it is a teacher. The indirect impact is on other employees who may be on the same pay schedule. SENATOR FREBORG asked if the increase could be divided over two years at \$750 per year. REP. KELSCH stated it may be better, now than later but would pay \$1000 now and \$500 later.

After discussion on the minimum salary level of \$21,000 and \$21,500 for the school years 2003-04 and 2004-05 respectively, **a motion was made by SENATOR FLAKOLL to amend**

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page 14, line 13, (Section 16, subsection 2, subsection b.) to read \$21,500 and to delete both subsections b. in Section 16, subsections 1. and 2. and then adopt Section 16 as amended.

Seconded by REPRESENTATIVE KELSCH. There could be schools that would never have to meet minimum salary because they could include compensation within the salary. **ROLL CALL VOTE: 6 YES. 0 NO. 0 Absent. MOTION CARRIED.**

SENATOR FREBORG asked the committee to consider Section 29, Reorganization Bonuses.

SENATOR FREBORG asked if there is any chance to revive the JPA language with a lesser amount of money with the reorganization bonus. REP. KELSCH stated she would oppose putting the money back in the bill for JPAs. We have been told that the JPAs are voluntary and are working quite well. However, with some guidelines, the JPAs want some monies. She would oppose that. SENATOR FREBORG asked about bonus dollars (\$1 million). REP. KELSCH had looked at other language with dollars from a contingency fund. She would prefer that the monies for reorganization bonuses come from a contingency fund, rather than from foundation aid. REP. JOHNSON agrees. There were about \$3 million left in the contingency fund after the last legislative session. SENATOR FREBORG stated that in the past the money from the contingency fund was used elsewhere as directed by the legislature. SENATOR FLAKOLL would be interested to know where the \$105,000 that was rolled over went. REP. KELSCH stated she would find out where the dollars went. She feels it is in SB 2013 where it went. She found it and the \$105,000 went to fund the North Central Council of School Televisions Licensing of Educational Television for Classroom Use by ND Elementary and Secondary Schools.

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SENATOR FREBORG asked the committee to consider Section 8, the school district equalization factor, the mill deduct. He has concern about the equity index. The reduction from 36 to 34 mills would be a positive move in a lot of districts. SENATOR CHRISTENSON stated she feels the money is just not high enough, SENATOR FLAKOLL asked why the transportation aid line was removed. SENATOR FREBORG asked if they don't consider transportation aid in the total or is the block grant considered part of foundation aid. Is foundation aid included in the deduct. REP. KELSCH stated yes it is. SENATOR FREBORG asked if we should define transportation separately (now it is defined as state aid). SENATOR FLAKOLL feels the intent is to include transportation aid in the deduct. JERRY COLEMAN, DPI, agrees with Senator Flakoll and would suggest leaving transportation in the bill.

SENATOR FLAKOLL feels transportation aid should be in the redistribution formula. He feels the intent is to include transportation in state aid and this should be easy now with block granting.

SENATOR FLAKOLL moved to remove the overstrike on transportation aid in Section 8, page 3, line 26 and page 4 line 7. Seconded by REPRESENTATIVE KELSCH. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FREBORG discussed the rationale for block grants for transportation and are we trying to accomplish. We can't continue on the block grant with total dollars as we are paying it out today. REPRESENTATIVE KELSCH stated the House had discussed the dollars go to the schools and the schools then distribute them as they see fit. They still would report the numbers to DPI. In giving the districts the money in a block grant, it is hoped the districts would budget more efficiently. However, this can be addressed in the next legislative session. Perhaps a

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formula can be developed with the numbers and the information given by the schools this biennium. SENATOR FREBORG stated that maybe the long range intent is to use the information we get from the analysis, and hopefully it will be complete, to come up with a new formula. REP. KELSCH stated we need to look at other states during the interim and how they are handling similar problems with their education funding. Most schools received an increase over the previous year. This would not hurt any school district. This could be a transitional idea that could be developed. SENATOR FLAKOLL asked if there should be a 2-year study or language for a 2-year average because some schools did drop dramatically.

REP. KELSCH stated there have been discussions on the Kildeer/Halliday school problem. She is not sure if there would be a hardship for the district with transporting students. SENATOR FREBORG has heard concerns about the block grants for transportation. SENATOR FLAKOLL stated he has problems philosophically with block grants. REPRESENTATIVE JOHNSON stated the block granting is just for the interim to see how it works.

The committee was adjourned.

4/14/03 PM, Tape 2, Side B, 0 - 50.6

CHAIRMAN FREBORG called the committee back to order with all members present.

CHAIRMAN FREBORG asked the committee to consider the Section dealing with Transportation. REPRESENTATIVE KELSCH stated the discussion had left off with Senator Flakoll asking whether the committee had looked at averaging the costs out. That is what the grant does. It takes the total amount of the two years of the biennium and puts it out 50% the first year and 50% the second year. Technically that would be taking an average of the first and

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second years. SENATOR FLAKOLL asked if there is compensation for growing districts or decreasing districts. There would be more districts losing pupils. If there is remaining monies, that could be paid out in state aid or ADM. He stated that the monies from the schools losing pupils could be metered out in some way. REP. KELSCH asked if he is trying for a formula to compensate or adjust for the increase or decline in enrollment so an adjustment can be made in the block granting.

The committee discussed the routes of buses and the capacity of them. Included in the discussion was the mileage, the number of buses on a route, piggybacking buses, amount of students riding, sizes of buses, and costs of transporting.

SENATOR CHRISTENSON asked when the money would be junctured out, the beginning or end of the biennium, the end of the first year, or when. SENATOR FLAKOLL stated it could be either way. By setting aside half and half, then you meter it out accordingly. The additional payment could be sent out at the end of the year. SENATOR FREBORG asked if the first year payment of the next biennium would go out based on the current year. If you divide the payment what is your base. SENATOR FLAKOLL stated each school would have their own number per student based on the current biennium. SENATOR FREBORG stated the rate would be established and could not be changed. So considering that we have \$35 million and 102,000 students and we are going to lose at least 4,000 students, what would you calculate that we could return to foundation aid in dollars. SENATOR FLAKOLL replied about \$340,000 but that is subject to who loses students. REP. KELSCH asked where the dollars are coming from that are left over to go to ADM. Is he looking at the statewide average of payments to transportation. SENATOR FLAKOLL stated that if you have a 2% drop in student numbers in a given year, you

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take that into the \$17 million. REP. HANSON asked if a report is required for the block granting monies, it is not in the bill. SENATOR FREBORG understands the reporting would be the same.

CHAIRMAN FREBORG asked the committee to study Section 1, Long Term Planning (38241.0800). He stated the Senate had killed the bill with the same language. There was discussion on long term planning by school districts. The Senate had tried several different proposals, (2, 4, 6 year; 5 and 10 year; plans). REPRESENTATIVE KELSCH asked what the opposition was for this bill. SENATOR FREBORG stated that in the planning process, no school will say or admit that they will close in the future. This planning would also be one more job for the districts to do. The end result of the process would probably be no impact.

SENATOR CHRISTENSON stated that some members thought the process would be good but the 10 year time frame became a problem. It is hard to plan that far ahead.

CHAIRMAN FREBORG asked the committee to study Section 31, Contingency Payments.

SENATOR FLAKOLL would prefer any unused dollars to be used for hold harmless for FTE payments rather than ADM payments. He would rather use the dollars for FTE rather than foundation aid. SENATOR FREBORG asked if any district supported foundation aid over FTE payments. SENATOR FLAKOLL stated West Fargo had.

CHAIRMAN FREBORG asked the committee to discuss Supplemental payments. REP.

JOHNSON stated that with the new formula, some districts are getting more new money.

SENATOR FLAKOLL moved that any remaining unobligated dollars be used for a hold harmless in Section 31. There was no second so motion died.

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SENATOR FREBORG stated that equity is equity. He feels supplemental payments are a much fairer way of funding. REP. JOHNSON stated the supplemental payments came after the last lawsuit. SENATOR FREBORG stated the new formula would put us closer to equity. REP. KELSCH felt the formula was unfair to some districts. SENATOR FREBORG passed out copies of the old and new formula for supplemental payments. He felt that considering all revenue in the district is extremely fair when considering dollars behind each student in the district. (see attachments A and B, 4/14/03). He stated that all the formula did, other than the 180 mills, was count all revenue.

Section 8 was discussed. SENATOR FREBORG asked how dropping 2 mills affected the budget. There was contention over the equity index. REP. KELSCH stated there is some misunderstanding on how the mill deduct works. SENATOR FREBORG asked how important it is to set a goal and then to sunset it. He is not comfortable with a sunset. He feels that shows we are in this only for a short term. SENATOR FLAKOLL said his concern is that it looks like we are saying this is good enough and we can't do any better.

The committee was adjourned.

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Tape Number	Side A	Side B	Meter #
1	x		0 - end
1		x	0 - 13.9
2	x		0 - end
Committee Clerk Signature <i>Andrea Johnson</i>			

Minutes: CHAIRMAN FREBORG called the conference committee to order with all members present.

SENATOR FREBORG presented an amendment to the committee for review (38241.0335).

This amendment pertains to the interim fund, which is Section 3 of Second Engrossment with House Amendments (38241.0800). This calls the Interim fund what it has always been referred to as, the Ending fund balance. This only speaks to one fund. Each time the maximum amount that can be in the fund is adjusted it has been referred to as the ending balance.

REP. KELSCH moved to adopt the amendment (38241.0335). **Seconded by SENATOR**

FLAKOLL. This was the intent of what the legislature thought they had done last session. This amendment will replace Section 3 of 38241.0800. However, it now becomes Section 1.

SENATOR FLAKOLL is satisfied with the 50% plus \$20,000 for ending fund balance.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

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REPRESENTATIVE KELSCH moved a DO NOT PASS on Section 3 of 38241.0800.

Seconded by REPRESENTATIVE JOHNSON.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

Discussion on Section 8, School district equalization factor. The House dropped 2 mills the first year. The rest of the section is the same except the equity index. The Senate feels the mills should be higher. They don't like the equity index.

REPRESENTATIVE JOHNSON moved to adopt Section 8 as amended. Seconded by REPRESENTATIVE KELSCH. Roll Call Vote: 3 YES. 3 NO. 0 Absent. Motion Fails.

Discussion on Section 27, Transportation. SENATOR FLAKOLL has equity concerns with the section and this does not have a sunset clause listed. He was told that the committee would be receptive to a due date if he wants one. He stated that SB 2032, which was the involvement study bill and the transportation study bill had a due date for the information required after next session. He has a concern with this in that the information would not be due until after the next session and the lawmakers would not be able to act on anything without the information.

SENATOR FREBORG stated that if we block grant transportation, he is not sure the information would be available this biennium. SENATOR FLAKOLL would like the information from SB 2032 before the next session.

TOM DECKER, DPI, stated they would be able to bring a proposal to the legislature interim committee between July and September of 2004. SENATOR FLAKOLL asked if the time line could be upped to September 1, 2004. MR. DECKER stated that would work. SENATOR FLAKOLL will have an amendment drafted to reflect this.

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Discussion on Section 32, and the removal by the House of the formula the Senate had approved.

SENATOR FREBORG asked if we could look at the formula in some other form. For instance 50% of the revenue. REPRESENTATIVE KELSCH would like DPI to print out a chart showing the mills at 170, 175 and 180 which would help the committee and would show them what the effects would be. SENATOR FREBORG would also like to have the printout on all other revenue rather than all revenue. Could they also identify which districts they can not recapture from.

Discussion on Section 29. SENATOR FREBORG asked if we paid the \$500,000 as it is in this section, would the House members consider any dollars for JPAs. This pays \$500,000 for the current bonus program and nothing for new JPAs that want to start up. Not enough movement on the House side to consider this.

More discussion on Section 27, transportation. SENATOR FLAKOLL would like this to sunset after the 2004 - 05 year. This would require the legislature to address it again in the 2005 session.

SENATOR FLAKOLL moved to amend Section 27 so the transportation grant distribution will sunset at the end of the next biennium. Seconded by **REPRESENTATIVE KELSCH**.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt Section 27 as amended. **SECONDED BY REPRESENTATIVE KELSCH**.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

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10-16-03
Date

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact sections 15.1-27-04, 15.1-27-06, 15.1-27-07, 15.1-27-37, and 15.1-27-39 of the North Dakota Century Code, relating to per student payments, weighting factors, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to provide legislative intent regarding distribution of contraceptives and sex education; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
 - a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited. A high school district may not become an elementary district.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.

2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 5. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two~~ four hundred ~~eighty-seven~~ ninety dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three~~ six hundred ~~forty-seven~~ fourteen dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 6. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 7. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of

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10-16-03
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education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year

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average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 8. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of ~~provided to~~ teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation~~ increases provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.

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10-16-03
Date

3. a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
- b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002 2003.~~
- b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
- c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002 2003~~, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
- d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 9. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-two thousand five hundred dollars. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-three thousand five hundred dollars.

SECTION 10. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 11. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus

to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 12. CONTINGENT PAYMENTS - REORGANIZATION BONUSES - JOINT POWERS AGREEMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute:

- a. The first \$1,500,000 of the excess amount as reorganization bonus payments to school districts organizing after July 1, 2003, pursuant to section 15.1-12-11.1; and
- b. Any remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 13. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 14. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION. Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and transportation payments during the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

SECTION 15. LEGISLATIVE INTENT - USE OF STATE FUNDS FOR DISTRIBUTION OF CONTRACEPTIVES PROHIBITED - SEX EDUCATION. It is the intent of the legislative assembly that the board of a school district not use state funds to operate a program that distributes condoms or other contraceptives in schools and that the board of a school district not use state funds to deliver courses or provide materials that promote or encourage sexual activity. It is also the intent of the legislative assembly that the board of a school district ensure that all sexual education classes are age-appropriate and emphasize abstinence.

SECTION 16. APPROPRIATION - READING PROGRAMS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$400,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing grants to school districts to assist with the purchase of eligible reading programs, for the biennium beginning July 1, 2003, and ending June 30, 2005. The superintendent of public instruction shall develop a process for grant applications and shall consider the applications in the order received. The superintendent of public instruction may not award to a school district a grant that exceeds the product of ten dollars times the number of students enrolled in kindergarten through grade four in the school district. For purposes of this section, an eligible reading program is one that provides to students in kindergarten through grade four explicit, systematic instruction in phonics, phonemic awareness, decoding, word recognition, vocabulary, and text comprehension.

SECTION 17. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

Page No. 9

38241.0313

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10-16-03
Date

Date: 3/31/03
Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number add amendment

Action Taken sect 16 38241.0315 Hunskor.

Motion Made By Sitte Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunskor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) _____ No vv failed

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Yvonne J. Lee 10-16-03
Operator's Signature Date

Date: 3/31/03
Roll Call Vote #: 4

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Amendments to 2154

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 38241, 0316

Action Taken Remove min. salaries sec ~~17~~

Motion Made By Mueller Seconded By Sitte

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunsakor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) failed

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

failed

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Date

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact subsection 5 of section 15.1-09-36, section 15.1-16-02, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-08, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
 - a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.

2. Subsection 1 does not apply to elementary school districts participating in cooperative agreements approved by the superintendent of public instruction.
3. If before July 2, 2003, a high school district reduces its grade level services so that it no longer provides all grade levels from one through twelve, that district must dissolve or become reorganized into a high school district before July 1, 2004.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation state~~ aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 5. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 6. AMENDMENT. Section 15.1-16-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-16-02. Education factfinding commission - Appointment - Terms - Quorum.

1. The education factfinding commission consists of three members ~~experienced in educational activities~~, at least one of whom must be a teacher or a retired teacher and at least one of whom must have served as a member of a school board. One member is appointed by the governor, one member is appointed by the superintendent of public instruction, and one member is appointed by the attorney general. The member appointed by the superintendent of public instruction shall serve as the chairman of the commission.

2. The term of each commission member is three years staggered.
3. If a vacancy occurs, the individual who appointed the member to be succeeded shall appoint a new member to serve only the unexpired term of the member to be succeeded.
4. Two members of the commission constitute a quorum.

SECTION 7. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation state~~ aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 8. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two four~~ hundred ~~eighty seven~~ ninety dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three six~~ hundred ~~forty seven~~ fourteen dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 9. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty two~~ thirty-four mills times the latest available net assessed and equalized valuation of property in the district.
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1.~~ a. The product of ~~thirty two~~ thirty-six mills times the latest available net assessed and equalized valuation of property in the district.
 - ~~2.~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars.
2. Beginning July 1, 2005, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over

the number of mills used in determining the product required by that subdivision the previous year, until the number of mills used by the superintendent of public instruction reaches an equity index equal to twenty-five percent of the state average school district general fund mill levy. Upon reaching the equity index, the superintendent of public instruction shall annually adjust the number of mills in order to remain at the equity index.

3. Whenever the legislative assembly considers changes in state aid to education, the legislative assembly shall also review the rate established by subsection 2 for reaching the equity index and determine whether that rate should be adjusted proportionately.

SECTION 10. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 11. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of

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education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.

- b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
 3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
 4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~

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eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
7.
 - a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
 - b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a

twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.

8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 12. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state aid~~ state aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 13. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ state aid payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 14. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid~~.

SECTION 15. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 16. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002.~~
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
 - d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to

teach by the education standards and practices board, may not exceed one thousand dollars.

4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 17. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ ~~2003-04~~ school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars. Beginning with the ~~2002-03~~ ~~2004-05~~ school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least ~~twenty~~ twenty-two thousand five hundred dollars.

SECTION 18. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten

students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.

- d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3.
 - a. The superintendent of public instruction shall forward all ~~per student and transportation state~~ aid payments for a student attending an out-of-state school to the student's school district of residence.
 - b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.
 - e. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~
 4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 19. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district ~~and the admitting district is then entitled to state payments for the transportation of the student.~~

SECTION 20. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

1.
 - a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
 - b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
 - c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation state~~ aid otherwise payable for the nonresident student.
2.
 - a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.

- b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
 - c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
 - d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.
 - e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 21. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

- 1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
- 2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.

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3. a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
- b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation state aid to schools~~:
 - (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.
4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.
5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation state aid~~ otherwise payable to the student's school district of residence until the tuition due has been fully paid.
6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student state aid payments and transportation aid to schools~~ in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation state aid to schools~~.
8. a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered

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mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:

- (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.
- b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 22. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 23. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 24. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.
- c. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 25. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, and the admitting district is then entitled to state payments for the transportation of that student.

SECTION 26. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3. a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
- b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
- c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the transportation state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the

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superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 27. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 28. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 29. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 30. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus

to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 31. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PEP STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 32. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION. Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and transportation payments during the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

SECTION 33. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 34. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 35. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

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Date: 8/4/1/03
 Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2154

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 38241.0316

Action Taken remove sec 17 (Salaries)

Motion Made By Nelson Seconded By Mueller

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch		✓			
Rep. Johnson		✓			
Rep. Nelson	✓				
Rep. Haas	AB				
Rep. Hawken		✓			
Rep. Herbel		✓			
Rep. Meier		✓			
Rep. Norland		✓			
Rep. Sitte	✓				
Rep. Hanson		✓			
Rep. Hunsakor	✓				
Rep. Mueller	✓				
Rep. Solberg		✓			
Rep. Williams		✓			

Total (Yes) 4 No 9

Absent 1

Floor Assignment failed

If the vote is on an amendment, briefly indicate intent:

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Date: 4/1/03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 38241.0316

Action Taken Block grants for transport.

Motion Made By Herbel Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunsakor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) 11 No 0

Absent 0

Floor Assignment Carried

If the vote is on an amendment, briefly indicate intent:

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Date

Date: 4/1/03
Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House HOUSE EDUCATION ²¹⁵⁴ Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken SNP

Motion Made By Nelson Seconded By Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓				
Rep. Johnson	✓				
Rep. Nelson	✓				
Rep. Haas	AB				
Rep. Hawken	✓				
Rep. Herbel	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Hanson	✓				
Rep. Hunsakor	✓				
Rep. Mueller	✓				
Rep. Solberg	✓				
Rep. Williams	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Kelsch

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4/1/03
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PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact subsection 5 of section 15.1-09-36, section 15.1-16-02, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
 - a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.

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- 2. Subsection 1 does not apply to elementary school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

- 1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
- 2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

- 5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation~~ state aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 5. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education; - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 6. AMENDMENT. Section 15.1-16-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-16-02. Education factfinding commission - Appointment - Terms - Quorum.

- 1. The education factfinding commission consists of three members ~~experienced in educational activities~~, at least one of whom must be a teacher or a retired teacher and at least one of whom must have served as a member of a school board. One member is appointed by the governor, one member is appointed by the superintendent of public instruction, and one member is appointed by the attorney general. The member appointed by the superintendent of public instruction shall serve as the chairman of the commission.
- 2. The term of each commission member is three years staggered.
- 3. If a vacancy occurs, the individual who appointed the member to be succeeded shall appoint a new member to serve only the unexpired term of the member to be succeeded.

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4. Two members of the commission constitute a quorum.

SECTION 7. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation~~ state aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 8. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two~~ four hundred ~~eighty seven~~ ninety dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three~~ six hundred ~~forty seven~~ fourteen dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 9. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty two~~ thirty four mills times the latest available net assessed and equalized valuation of property in the district.
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1.~~ a. The product of ~~thirty two~~ thirty six mills times the latest available net assessed and equalized valuation of property in the district.
 - ~~2.~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars.
2. Beginning July 1, 2005, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year, until the number of mills used by the superintendent of public instruction reaches an equity index equal to twenty-five percent of the state average school district general fund mill levy. Upon reaching the equity index, the superintendent of public

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Instruction shall annually adjust the number of mills in order to remain at the equity index.

- 3. Whenever the legislative assembly considers changes in state aid to education, the legislative assembly shall also review the rate established by subsection 2 for reaching the equity index and determine whether that rate should be adjusted proportionately.

SECTION 10. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

- 1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
- 2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
- 3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
- 4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for

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this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

- 5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
- 6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 11. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

- 1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the

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five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.

- b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
 3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
 4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section

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15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

- 5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
- 6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
- 7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
 - b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.

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- 8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
- 9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
- 10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 12. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

- 1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state aid~~ state aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 13. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

- 4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ state aid payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 14. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

- 4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid.~~

SECTION 15. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds

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appropriated for ~~per student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 16. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002 2003.~~
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
 - d. For the 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.

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4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 17. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount. Beginning with the ~~2001-02~~ ~~2003-04~~ school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level of salary for the contract period equal to at least ~~eighteen~~ ~~twenty-one~~ thousand ~~five hundred~~ dollars. Beginning with the ~~2002-03~~ ~~2004-05~~ school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least twenty twenty-two thousand five hundred dollars.

SECTION 18. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.

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- d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
- 3. a. The superintendent of public instruction shall forward all ~~per student and transportation~~ state aid payments for a student attending an out-of-state school to the student's school district of residence.
- b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.
- e. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~
- 4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 19. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

- 4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district ~~and the admitting district is then entitled to state payments for the transportation of the student.~~

SECTION 20. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

- 1. a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
- b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
- c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation~~ state aid otherwise payable for the nonresident student.
- 2. a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
- b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint

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provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.

- c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
 - d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.
 - e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 21. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

- 1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
- 2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
- 3. a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the

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custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.

b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools:

- (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
- (2) If a court orders a termination of parental rights with respect to the student's parents.

4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.

5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation~~ state aid otherwise payable to the student's school district of residence until the tuition due has been fully paid.

6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student~~ state aid payments and transportation aid to schools in all other cases.

7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools.

8. a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:

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- (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.
- b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
- 9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
 - 10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 22. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

- 1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.

SECTION 23. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1991, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1991, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 24. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

- 2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government

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entitles for the joint provision and integration of transportation services to the public.

- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.
- e. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 25. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 26. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3.
 - a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
 - b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
 - c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board

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of public school education. A decision by the state board of public school education is final.

SECTION 27. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 28. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 29. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 30. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to

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section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 31. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 32. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION. Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and transportation payments during the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

SECTION 33. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 34. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 35. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

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Date

Date: 4/2/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number Reconsider Action of SNP

Action Taker _____

Motion Made By Nelson Seconded By Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunsakor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) _____ No _____

Absent 2

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Yvonne d. Lee 10-16-03
Operator's Signature Date

Date: 4/2/03
Roll Call Vote #: A

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 38241.0318 LC

Action Taken Accept amendments

Motion Made By Norland Seconded By Herbel

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunskor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) ^{VV} ^{No}

Absent ^{carries}

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

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Yuberena d. Lee 10-16-03
Operator's Signature Date

Date: 4/2/03
 Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2157

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number LC 38241.0318

Action Taken Do Pass as amend Ref to Approp

Motion Made By Norland Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	<u>P</u>				
Rep. Johnson	<u>P</u>				
Rep. Nelson	<u>P</u>				
Rep. Haas	<u>AB</u>				
Rep. Hawken	<u>P</u>				
Rep. Herbel	<u>P</u>				
Rep. Meier	<u>P</u>				
Rep. Norland	<u>P</u>				
Rep. Sitte	<u>P</u>				
Rep. Hanson	<u>P</u>				
Rep. Hunskor		<u>✓</u>			
Rep. Mueller		<u>✓</u>			
Rep. Solberg		<u>✓</u>			
Rep. Williams		<u>✓</u>			

Total (Yes) 9 No 4

Absent 1

Floor Assignment Kelsch

If the vote is on an amendment, briefly indicate intent:

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Yvonnea J. Lee 10-16-03
 Operator's Signature Date

REPORT OF STANDING COMMITTEE

SB 2154, as reengrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REFERRED to the Appropriations Committee (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2154 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-07 and a new section to chapter 15.1-12 of the North Dakota Century Code, relating to school district plans and changes and interim funds; to amend and reenact subsection 5 of section 15.1-09-36, section 15.1-16-02, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, and teacher compensation reimbursement; to provide for a legislative council study; to provide for contingent payments; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing five-year and ten-year periods, and specifically addressing potential effects on:
 - a. Academic, athletic, and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.

2. Subsection 1 does not apply to elementary school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 4. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation~~ state aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 5. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 6. AMENDMENT. Section 15.1-16-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-16-02. Education factfinding commission - Appointment - Terms - Quorum.

1. The education factfinding commission consists of three members ~~experienced in educational activities~~, at least one of whom must be a teacher or a retired teacher and at least one of whom must have served as a member of a school board. One member is appointed by the governor, one member is appointed by the superintendent of public instruction, and one member is appointed by the attorney general. The member appointed by the superintendent of public instruction shall serve as the chairman of the commission.
2. The term of each commission member is three years staggered.

3. If a vacancy occurs, the individual who appointed the member to be succeeded shall appoint a new member to serve only the unexpired term of the member to be succeeded.
4. Two members of the commission constitute a quorum.

SECTION 7. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation~~ state aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 8. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two five~~ hundred ~~eighty seven~~ nine dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three six~~ hundred ~~forty seven~~ thirty-three dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 9. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid~~, and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty-two~~ thirty-four mills times the latest available net assessed and equalized valuation of property in the district.
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid~~, and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1-~~ a. The product of ~~thirty-two~~ thirty-six mills times the latest available net assessed and equalized valuation of property in the district.
 - ~~2-~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars.

2. Beginning July 1, 2005, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year, until the number of mills used by the superintendent of public instruction reaches an equity index equal to twenty-five percent of the state average school district general fund mill levy. Upon reaching the equity index, the superintendent of public instruction shall annually adjust the number of mills in order to remain at the equity index.
3. Whenever the legislative assembly considers changes in state aid to education, the legislative assembly shall also review the rate established by subsection 2 for reaching the equity index and determine whether that rate should be adjusted proportionately.

SECTION 10. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades

nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 11. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year

average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades ~~seven~~ and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 12. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state~~ aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

Page 4
Senate Education Committee
Bill/Resolution Number Reengrossed SB 2154
Hearing Date 4-15-03

SENATOR FLAKOLL moved to adopt Sections 4, 6, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to Reengrossed SB 2154 (second engrossment with House amendments).

Seconded by REPRESENTATIVE KELSCH.

REPRESENTATIVE HANSON would like the have each section adopted individually.

SENATOR FLAKOLL and REPRESENTATIVE KELSCH withdrew their motion and second.

REP. HANSON moved and REP. KELSCH seconded to adopt Section 4.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved the REP. JOHNSON seconded to adopt Section 6.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. KELSCH seconded to adopt Section 11 (this deals with the special education transportation)

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. JOHNSON seconded to adopt Section 12.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. KELSCH seconded to adopt Section 13 (this pays up to the amount of the appropriation and is prorated if the appropriation won't reach).

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. KELSCH seconded to adopt Section 14 (cleanup language for the transportation payment to the Youth Correctional Center).

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. JOHNSON seconded to adopt Section 17.

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Operator's Signature

10-16-03
Date

Page 5
Senate Education Committee
Bill/Resolution Number Reengrossed SB 2154
Hearing Date 4-15-03

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. KELSCH seconded to adopt Section 18.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. KELSCH seconded to adopt Section 19.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. JOHNSON seconded to adopt Section 20.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REP. HANSON moved and REP. JOHNSON seconded to adopt Section 21.

Discussion. SENATOR CHRISTENSON would like to know if this violates anything the Senate passed in the study of residency issues that was put into a study resolution earlier in the session.

TOM DECKER, DPI, stated there may be some confusion. This applies to Section 20 which we passed.

Vote: 5 YES. 1 NO. 0 Absent. Motion Carried.

REP. JOHNSON moved and REP. KELSCH seconded to adopt Section 22.

Vote: 6 YES. 0 NO. 0 Absent.

REP. HANSON moved and REP. JOHNSON moved to adopt Section 23.

Vote: 6 YES. 0 NO. 0 Absent.

REP. JOHNSON moved and SENATOR CHRISTENSON seconded to adopt Section 24.

VOTE: 5 YES. 1 NO. 0 Absent.

SENATOR FLAKOLL moved and SEN. CHRISTENSON seconded to adopt Section 25.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

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Operator's Signature

10-16-03
Date

Page 6
Senate Education Committee
Bill/Resolution Number Reengrossed SB 2154
Hearing Date 4-15-03

REPRESENTATIVE KELSCH moved and SENATOR FLAKOLL seconded to adopt

Section 26. SENATOR CHRISTENSON asked why the strikeout on the reimbursement of parents for transportation costs. SENATOR FREBORG stated that the districts now will receive the block grant for transportation and the district can then decide how to disburse the funds.

Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REPRESENTATIVE HANSON proposed an amendment dealing with the education fact finding commission. (see attached). This was removed by the House Appropriations committee. He feels strongly that the commission should be made up as listed under Section 5 of attachment 38241.0700. SENATOR FLAKOLL asked if this would be the makeup of the committee who would appoint which member at the end of one's term. If the same office appointed the same member, wouldn't the same type of person be appointed always. REPRESENTATIVE KELSCH explained the Appropriation committee took this language out that the House Education committee had put in. She doesn't know why it was removed.

REPRESENTATIVE HANSON moved to adopt this amendment. (referred to as the Hanson amendment 38241.0700). Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 4 YES. 2 NO. 0 Absent. Motion FAILS.

SENATOR FLAKOLL moved to adopt Section 8 as amended and remove lines 19 - 27 on page 4. (38241.0800). Seconded by SENATOR CHRISTENSON.

Discussion on Section 8 of Reengrossed SB 2154. (38241.0800). SENATOR FLAKOLL stated the mill levy was put into place when the bill came over from the House, but he would delineate the portion about the equity index cap language and as such that part of subsection 2 and all of

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Operator's Signature

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subsection 3 is not needed. (lines 19 - 27). REPRESENTATIVE KELSCH would go along with this if the committee so desires. SENATOR FLAKOLL stated the part of the section dealing with the 2 mill escalator will remain in the bill. SENATOR FREBORG stated the goal of the Senate is to reach pure equity, a statewide average, rather than a percent of the state average.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

The committee was adjourned.

PM, Tape 2, 0 - end, 4-15-03

CHAIRMAN FREBORG called the committee back to order with all members present.

SENATOR FLAKOLL moved to remove Section 34 from Reengrossed SB 2154. (This is the effective date for Section 3 and was in the amendment 38241.0335). Seconded by REP. KELSCH.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt Section 33. Seconded by REP. KELSCH.

Essentially this ties to the transportation sections in the bill. These are the appropriate repealers on the transportation sections that the committee modified.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR CHRISTENSON presented an amendment (see attached - 38241.0316 labeled Christenson amendment). She is asking the committee to look at Section 32 on this document.

SENATOR CHRISTENSON moved to adopt this amendment to Reengrossed SB 2154.

Seconded by REP. HANSON. This is to increase the teacher compensation and she feels this is the very least the legislature can do for teachers. This is contingent on an increase to the district.

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REP. KELSCH would like to have the 70% of new monies received. REP. KELSCH stated that if there is not an increase in dollars, the district would not have to do this and she said this was a compromise to the FTE payment. SENATOR CHRISTENSON feels the teacher compensation should not be ignored, that this issue should be part of the education bill. SENATOR FREBORG asked if this money is a part of the negotiating process or in addition to it. SENATOR CHRISTENSON stated this would be part of the process and left up to the local district as would be the other monies. REP. KELSCH stated the 70% is only to the schools who receive an increase. Discussion among the members on the increases in teacher salaries and benefits in recent years. SENATOR FLAKOLL said that in talking about raising the bar and the intent of past legislatures, he stated that in the 1997 - 98 school year there was a \$13 million increase in the amount set aside for teacher's salaries, a 4.4% increase. The next year there was a 3.5% increase. In the 1999-2000 year there was an increase over the previous years of 5.5%. This was followed by a 3.9% increase the following year on \$36 million. When adding the set aside of the \$3 thousand we slid down to 3.7% increase over the previous year. This was on \$50 million+ from the previous session. SENATOR FREBORG stated this session's increase will probably be the largest.

Roll Call Vote: 4 YES. 2 NO. 0 Absent. Motion FAILS.

SENATOR FREBORG distributed forms dealing with the minimum mill levy, one based on 140 mills and the other based on 145 mills. (see attached) DPI would retain any dollars not used and the monies would be applied to: 1. providing equity in the levy and 2. putting dollars into supplemental payments. He explained the 145 mills affects 55 districts, 10 of which don't receive state aid. The 145 mills is \$2.3 million and we don't know what the 140 will be, but

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approximately \$1.7 million. A Supplemental Revenue scenario was distributed also. (see attached)

JERRY COLEMAN, DPI, addressed the committee. He will clean up the schedule for the committee by tomorrow (4/16/03) on both schedules. REPRESENTATIVE KELSCH stated the recaptured dollars of \$1.7 - 3 million would be added to the supplemental payment which could be up to \$7.2 million.

The committee reviewed the old and new formulas that were passed out yesterday. The formulas and the taxable value of other sources of revenue were discussed. They also discussed the supplemental revenue report. JERRY COLEMAN, DPI, explained the two schedules and the supplemental revenue schedule.

SENATOR FREBORG asked the committee to review Section 1. He presented, in the form of an amendment, changes on page 1 and 2. (page 1, line 22, change 3 years to 5 year; line 23, remove 'athletic' - page 2, line 3, add "and" after report; line 4, remove "indicating"; line 5, remove "available, and make the report". His intent is to make this as easy as possible to have a public hearing and file a report thereof.

SENATOR FLAKOLL moved the amendment proposed by SENATOR FREBORG.

Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt Section 1 as amended. Seconded by SENATOR CHRISTENSON. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FREBORG stated he would consider adopting Section 29 and hopes the committee would be open to addressing JPAs. SENATOR FLAKOLL distributed SB 2305 to the

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committee members for review and stated this was the original language for the JPAs. The committee is asked to consider this.

REPRESENTATIVE KELSCH moved to adopt Section 29, the reorganization bonus. She hopes the committee will pass this section. This money will go to the districts that did reorganize and were not paid, because the money was used for something else. They do deserve it. **JERRY COLEMAN**, in answering questions from the committee, stated this money is state money and will not be considered in the payments to districts as different sources of money. **Seconded by REPRESENTATIVE JOHNSON.**

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

The committee was adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

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Senate Education Committee

Conference Committee

Hearing Date 4-16-03

Tape Number	Side A	Side B	Meter #
1	x		5.2 - end
1		x	0 - 42.9
Committee Clerk Signature			

Minutes:CHAIRMAN FREBORG called the committee to order with all members present.

JERRY COLEMAN, DPI, presented the committee with the data requests with 140 mills and 145 mills and an explanation of the formula that is easy to understand. (see attached) The districts with gray through them don't currently get state aid. The other exception is the Oriska district which is expected to go into a reorganization plan. (see the last page of the data sheets). MR. COLEMAN explained the formula sheet. He stated he added a description to that. The change is the check marked item under Current Formula.

SENATOR FLAKOLL asked if the funds in the whole include coal and oil and in lieu of. MR. COLEMAN stated that would be the county revenue. The other significant ones are the federal unrestricted dollars (impact aid dollars) and the tuition revenue. These are all included. SEN. FLAKOLL, in reviewing the Supreme Court Case as it reflects on this, it states "the deduct also fails to treat the coal and conversion and severance taxes and the oil and gas production taxes and extraction taxes and, which are in lieu of property taxes revenue as if they were part of

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the local tax base for equalization purposes. That failure results in further disparate treatment and impact to the state's overall method of distributing funds for education". So, by doing some of these things, we may seek additional favor from the courts.

SENATOR FREBORG asked the committee to look at the 140 mill report. It generates \$1.6 million. The bill is sitting at an additional \$500,000 to the way the House passed it out.

REPRESENTATIVE KELSCH asked if any recaptured funds would go to supplemental payments. SENATOR FREBORG stated he would like to see that. REP. KELSCH feels that is a good idea and we should move forward. SEN. FREBORG could have an amendment drafted stating supplemental payments would receive dollars from recaptured funds. SEN. FLAKOLL cited several court cases from the past and judgments thereon, and showed that we're moving in the right direction.

REPRESENTATIVE JOHNSON would like an amendment drafted on the 140 mills where the dollars are going to supplemental payments. REP. KELSCH asked if an amendment could be drafted dealing with an equity formula.

SENATOR FREBORG asked the committee to discuss the formula, both versions and the conference version. REP. KELSCH asked if the 30% factor needs addressing. SENATOR FREBORG stated this is based on \$2.2 million.

JERRY COLEMAN, DPI, stated the changes in the distribution are much less radical, but still considers all revenue.

SENATOR FLAKOLL stated he is still looking at a minimum local effort to add to the funding.

REPRESENTATIVE KELSCH asked to have an amendment drafted speaking to the conference committee formula.

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SENATOR FLAKOLL presented an amendment (38241.0336) dealing with a completion date (September 1, 2004) on the data envelopment analysis report. This states the analysis must be completed in time for the interim committee to review it.

SENATOR FLAKOLL moved to adopt the amendment. Seconded by REP. JOHNSON.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL presented an amendment (38241.0334) and explained it. This deals with the interim fund. Section 1 has an effective date for the first two taxable years after December 31, 2003 and is 50% plus \$20,000. Section 2 has an effective date for taxable years beginning after December 31, 2007 and is 45% plus \$20,000. The carryover funds now average about 22% which allows the school to run about 40 days. Last year the ending fund balance grew to \$155 million which was an \$11 million increase. SENATOR FREBORG asked if all schools remained within the 75 % plus \$20,000. SENATOR FALKOLL just wanted to present this to the committee and if it would be done, it would be a date in the future. REPRESENTATIVE HANSON asked which districts are affected. SENATOR FLAKOLL stated the difference between 45% and 50% is about 9 new districts; Emerado, Ashley, Max, Hebron, Flasher, Center, McClusky, Hope, Central Valley. REPRESENTATIVE HANSON asked if there are enough dollars to make a difference that we should go to 45%. Answered: No.

TOM DECKER, DPI, answered questions about the decrease from 75% to 50% in the school districts interim funds. He feels the district's should be able to accommodate this change given a period of time, two years.

SENATOR FLAKOLL asked if there is interest to get down to 45% with maybe an effective date of 2007. This would give the districts ample time to shave off some percentage points if they

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needed to. SENATOR FREBORG stated the 75% was put in about 3 or 4 sessions ago. At that time the districts were warned that it would go to 50%. He feels maybe the districts will need more time to get to the 50%. Now the law states that the schools must get to 50% by 2004.

SENATOR FLAKOLL thinks there are about 11 schools that fall between the 75% and the 50%.

TOM DECKER, DPI, stated the basis that schools will be adjusted based on the 50% will start July 1, 2004.

REPRESENTATIVE KELSCH stated the intent in HB 1344 from last session was not clear. The current language in statute is "the amount by which the unobligated general fund balance of a district on the preceding June 30, is in excess of 50% (deleted 75%) of its actual expenditures plus \$20,000. The date this goes into effect is July 1, 2004. SENATOR FREBORG wonders if we should use ending balance rather than interim fund. He stated the amendment would clarify Section 1 and then set up Section 2. **SENATOR FLAKOLL will redraft the amendment (.0334) dealing with the ending fund balance.**

SENATOR CHRISTENSON asked if the committee could discuss the JPAs. She would like to reconsider putting the dollars into JPAs. That would show support of the legislature to the districts and to those involved in the community. She feels this will ultimately benefit the students. REPRESENTATIVE HANSON stated that JPAs are done now without dollars.

SENATOR FREBORG feels that if the incentive dollars are available there would be criteria to follow. He felt smaller groups would do better but it seems that some large groups are successful too, even under the present law. REPRESENTATIVE JOHNSON said those he has talked to would rather have the dollars go to reorganization bonuses or foundation aid, not to start a new program. SENATOR FREBORG stated most programs were new programs at some time.

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SENATOR FALKOLL stated some current JPAs are successful. Some who are considering it would appreciate a small amount of money to help in developing a JPA. He feels the conditions that will be set will be good. SENATOR FREBORG feels the amount of dollars available should not be new money and we should not increase the amount that the House removed. He also doesn't want to take from foundation aid. He asked if maybe we could go with \$250,000 which would fund 5 new JPAs at \$50,000 each. REPRESENTATIVE JOHNSON asked which dollars fund the existing ones. SENATOR FREBORG stated those in existence don't meet the standards set in the bill that was killed. He would only favor this if the dollars can be found. SENATOR FLAKOLL asked that if we do fund new JPAs that it needs to be stated where the dollars that are not used would go.

The committee was adjourned.

PM, 4-16-03, continued.

CHAIRMAN FREBORG called the committee back to order with all members present.

JERRY COLEMAN, DPI, distributed revised reports with the accurate numbers. (see attached that say revised). Discussion by the committee. The totals on the bottom of the report changed slightly because there was an error in calculations. SENATOR FREBORG suggested the committee only study the printout using the 140 mills,

REPRESENTATIVE KELSCH stated the amendment coming from Anita Thomas, LC, would be ready tomorrow.

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SENATOR FLAKOLL would offer an amendment for the 45% plus \$20,000 for the ending fund balance after 12/31/07. Seconded by SENATOR CHRISTENSON. (concept in 38241.0334). Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REPRESENTATIVE KELSCH presented the committee with SB 2031 with the required units for high schools and offerings to be available to the students in each school. She feels we have addressed funding equity but not educational equity.

SENATOR FREBORG asked if the committee would be interested in having SB 2031 as an amendment to this bill. Could the effective date be 2005. REPRESENTATIVE KELSCH feels that is doable and would give the districts a heads up.

SENATOR FLAKOLL would be supportive with something along that line. In looking at how the courts saw it regarding the constitutional obligations as being met equitably. He feels the courts placed a high value on offerings across the board as very important.

SENATOR FREBORG asked if we could amend SB 2031 on page 1, line 16, by inserting "at least" after "arts,". He also asked the committee to study the "elective" issue on page 2, line 6. He would like "elective" defined more specifically. He further asked about the effective date and if it could be changed to 2005. He asked if this bill could be adopted. REPRESENTATIVE KELSCH stated if other groups would buy into this, she feels it could pass.

SENATOR FREBORG stated if we adopt 140 mill levy and those dollars went to supplemental payments, and if we're not able to cover that, there is still \$1.34 million to work with. This would put supplemental payments where he feels they should be and the Senate would support it.

The committee was adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

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Senate Education Committee

Conference Committee

Hearing Date 4-17-03

Tape Number	Side A	Side B	Meter #
1	x		0 - end
1		x	0 - 15.0
Committee Clerk Signature <i>Andrea Johnson</i>			

Minutes:CHAIRMAN FREBORG called the committee to order with all members present.

REPRESENTATIVE KELSCH presented an e-mail to the committee on a four-school reorganization plan that would be able to qualify for a bonus by 12/01/04.

TOM DECKER, DPI, believes there will be one more reorganization plan in the next biennium and both would be eligible for the \$500,000 reorganization bonus.

REPRESENTATIVE KELSCH felt these dollars should go into the foundation aid contingency fund although it really doesn't matter which fund it would come from as long as they are covered.

REPRESENTATIVE KELSCH moved an amendment stating there will be \$1 million in the contingency fund for reorganization bonuses for the next biennium. Seconded by SENATOR FLAKOLL. There was committee discussion on where the dollars would come from. REP. KELSCH feels it could come from the large pool of money (all funds) but it could come from just one fund, also. SENATOR FLAKOLL asked if this money would come out first

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in the potential cue line. REP. KELSCH stated yes. SENATOR FLAKOLL asked how much money are we anticipating coming from different funds and going to the contingency fund from this session. JERRY COLEMAN, DPI, said they expect to have \$3 million from the foundation aid/transportation lines and \$600,000 from the teacher fund.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL presented an amendment in the proper form (38241.0344) to replace the amendment 38241.3443 which was adopted yesterday (4/16/03). He just wants the committee to study it and make sure it is what they want. This deals with the ending fund balance which would be shaved down to 45% plus \$20,000 by 12/31/05.

REP. KELSCH asked ANITA THOMAS, LC, about this amendment working with the other amendment that has been adopted. MS. THOMAS stated she is working with two amendments, one dealing with the ending fund balance (38241.0341) which references how much money a school district can have in its ending fund balance, and this amendment (38241.0344) has to do with how the foundation aid formula is distributed. Both of these, if the committee so desires, could be in the final form of the bill.

REPRESENTATIVE HANSON asked why the plus \$20,000. TOM DECKER, DPI, stated that was a fixed amount that was agree upon to guarantee a minimum balance for very small operations. At the time the \$20,000 was instituted, the payouts were done differently and at different dates and some of the schools dipped too low and would run out of money. This was to help the very small districts.

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REPRESENTATIVE KELSCH presented an amendments dealing with Section 2 and Section 8.

These could be in the form of two amendments and dealt with separately if the committee so desires. (38241.0340).

TOM DECKER, DPI, explained the amendment and stated it is what the committee had talked about. The estimated minimum levy is 140 mills and if the districts do not levy that, the payment would be adjusted for whatever amount less than 140 mills they are generating in their district.

SENATOR FREBORG stated the committee is considering the levies applied to foundation aid, transportation, and tuition, the general fund levy or tuition levy. MR. DECKER said this is three levies. They would raise \$1.3 million. He feels the effective date on this (2004) would be this fall and would not give districts enough time to adjust and they would immediately incur a penalty. He feels the date needs to be changed so the schools will not be in opposition to this and will have time to adjust their mill levy. REPRESENTATIVE KELSCH asked if this year would be based on the current levy. She was told yes.

REPRESENTATIVE KELSCH explained the first page of the amendment (38241.0340) goes with Section 8 and the second page goes with Section 2 of Reengrossed SB 2154. It can be taken in two parts or together. Some discussion.

REPRESENTATIVE KELSCH moved to amend the amendment 38241.0340 with an effective date of June 30, 2005. Seconded by REPRESENTATIVE JOHNSON.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REPRESENTATIVE KELSCH moved to adopt the amended amendment 38241.0340.

Seconded by SENATOR FLAKOLL.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

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SENATOR CHRISTENSON distributed amendment 38241.0338 which deals with JPAs. The appropriation is \$250,000 and will fund 5 JPAs at \$50,000 each. If five JPAs aren't funded, each for \$50,000, the extra dollars would go to the contingency fund. SENATOR FREBORG asked the committee to study this amendment and take action later because we don't have the dollars for this yet.

SENATOR FREBORG stated they should discuss the contingency. Will we put all the contingency funds together or should we line item them from certain funds to be used for certain projects. SENATOR FLAKOLL said we could have contingency dollars in several areas.

REPRESENTATIVE KELSCH feels there would be less micro managing if all the dollars are in one fund and then prioritize as to which program would be covered first.

ANITA THOMAS is to draft an amendment for one contingency fund, one pool of money.

MS. THOMAS stated she would need direction as to which programs to prioritize. She was told the reorganization bonus would be the number one priority on the contingency fund since that amendment is already adopted.

The committee was adjourned.

PM, 4-17-03, continued.

SENATOR FREBORG called the committee back to order with all members present.

SENATOR FREBORG presented a problem with Section 8. ANITA THOMAS explained that in the original bill the "transportation aid" was over struck, then we amended to remove the overstrike. In visiting with DPI, she was told that in removing the overstrike, the deduct would be applied a second time. Legally, it has no impact.

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JERRY COLEMAN, DPI, stated that the block grant language would be paid directly to the districts. The transportation aid should not be included in the deduct language. There is usually enough for the deduct without transportation. The deduct is applied to a specific payment line in a most important order. The per student line is first, then transportation, tuition apportionment, special education money, and teacher compensation money. Usually when a district is losing their money, they will lose it all.

REPRESENTATIVE JOHNSON moved to overstrike transportation aid in Section 8, (back to the original bill). Seconded by SENATOR FLAKOLL.

Roll Call Vote: 6 YES. 0 No. 0 Absent. Motion Carried.

SENATOR FREBORG stated some of the district have concern on the 15 cents to be added to in-city transportation for bussing, but with the block grants it isn't much of a concern.

SENATOR FLAKOLL presented an amendment (38241.0343) to the members for review. He then explained it. This is tied back to the FTE portion, the \$600,000 set aside that was not used. This would take any remaining dollars not metered out in FTEs in the next biennium and use them for hold harmless on those schools that would have received more money had it been paid out in foundation aid instead, but with the limitation that there needs to be money in the fund.

REPRESENTATIVE KELSCH asked who this would affect, which school districts. SENATOR FLAKOLL doesn't know. He would guess that those who would not be eligible would be those with less than 12 students per FTE. Those with over 12 students per FTE would be eligible.

Asked if there is anything left to do on this bill, Senator Freborg stated we have the JPA issue, Rep. Kelsch stated we have the course work to decide and then there is this amendment from Sen. Flakoll. SENATOR FLAKOLL would like a study by the legislative council what a district

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has as a local contribution per resident and if this could play into the equitable issue. The statewide average is \$473 per person. Could this be a better tool in funding education.

REPRESENTATIVE KELSCH stated this could be language put into the study part of the bill as an alternative funding method.

The committee was adjourned.

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Operator's Signature

10-16-03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Reeng. SB 2154

Senate Education Committee

Conference Committee

Hearing Date 4-18-03

Tape Number	Side A	Side B	Meter #
1	x		0 - 13.6

Committee Clerk Signature *Alinda Johnson*

Minutes: CHAIRMAN FREBORG called the committee to order with all members present.

REPRESENTATIVE KELSCH presented an amendment (38241.0347) which is a compilation of what has been done so far on this bill. She wants the committee to study this over the weekend.

SENATOR FLAKOLL presented an amendment (38241.0345) which specifically includes language in the legislative council study to study local contributions on a per resident basis per district for an alternative funding method for education.

SENATOR FLAKOLL moved to adopt the amendment (38241.0345). Seconded by REPRESENTATIVE KELSCH.

SENATOR CHRISTENSON appreciates anything we can do to add to the equity issue.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REPRESENTATIVE KELSCH explained the amendment she presented (38241.0345). She will point out the new language in this. Section 3 is the JPAs. Section 4 is the ending fund balance language. Section 9 is the mill deduct going from 34 - 36. Within this section, it references 38

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Senate Education Committee
Bill/Resolution Number Reeng. SB 2154
Hearing Date 4-18-03

mills which is because of some of the issues discussed dealing with the 140 mills. The 38 mills is reflective of what happens in 2005 where we have gone with increasing the mills 2 mills every year after this session after we approve the mills. This all deals with the 140 mills. Page 6, Section 9, subsection 1b, deals with the 45% of expenditures. Section 18 is the approved JPAs. Section 31 does not include the language that was just passed. Section 32 changed the date to Sept. 1, 2004 (Data envelopment analysis). Section 35 includes what was passed yesterday stating that the first \$1 million would go to reorganization bonuses. Subsection 2 of Section 35 states the rest of the dollars would be paid out based on ADM, the \$5 million appropriation. This amendment has some conceptual changes and the committee needs to make sure they are accurate. This is a draft of what the committee has done.

REPRESENTATIVE KELSCH asked if we want to discuss the intent of the 140 mills. She stated that by moving back the effective date from 6-30-03 and use 6-30-04, it gives the schools a year to get up to the 140 mills. This would give them time to adjust their mill levy to an amount that would make up the difference that would be withheld from the state, or if they want to go up to the 140 mills. If the school is not up to the 140 mills by 7-1-04, the dollars will be withheld and would go out on supplemental payments. That was the intent when she made the motion yesterday, but that is not what is reflected here in Section 9. What we see is that we would not see any of the recaptured monies for the whole next biennium. That was not the committee's intention.

SENATOR FREBORG stated it is not necessary in most cases to raise their levy to the 140 mills to recover their losses. To recover the money they need to operate on that we withheld, 18% may be adequate. In some cases all it takes is raising 2 mills.

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SENATOR FLAKOLL asked if a district is on the recapture list, they are not eligible for supplemental payments because of the mills involved. That is correct.

SENATOR FREBORG stated the action on JPAs is still pending because of the dollars needed.

We are still holding SB 2031. We should be able to take it up on Monday.

The committee was adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Reengrossed SB 2154

Senate Education Committee

Conference Committee

Hearing Date 4-21-03

Tape Number	Side A	Side B	Meter #
1	x		0 - end
1		x	0 - end
2	x		0 - 5.0

Committee Clerk Signature *Andrea Johnson*

Minutes: CHAIRMAN FREBORG called the committee to order with all members present.

CHAIRMAN FREBORG distributed 38241.0349, the latest version of the compilation of the work the committee has done on this bill. In looking at the bill, Senator Freborg stated that the payments are not adjusted in this version where we are going to drop the payment by \$10 per pupil. So the payment would go down about \$10.00.

SENATOR FLAKOLL asked if the levy of compensation (Section 18) means to individual teachers or to teachers as a whole. He understands it is for individual teachers.

ANITA THOMAS, LC, stated we could insert "individual" to be specific.

ANITA THOMAS, LC, answered questions from the committee.

Looking at ending fund balances, Section 4, it reads as the committee desires. Section 7, page 4, regarding the minimum required units, there was some talk on cleanup language dealing with "electives". This has been put in subsection j., page 5 where it says "twelve units in addition.....". There is no reference to "electives" and therefore there does not have to be a

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10-16-03
Date

definition of such. There were some transportation issues discussed. Section 3 which refers to JPAs sets up the criteria of what the participating districts need to do in order to receive the reimbursement. The reimbursement is in Section 19. Section 36 has lumped the contingencies, the teacher compensation line item and the per student line item, and added them together. The priority for any left over dollars to be paid by the superintendent is for reorganization bonuses and then for per student payments.

SENATOR FREBORG stated there are only two sections of 38241.0349 that we have not adopted; Section 7, required units, and the two JPA sections.

TOM DECKER, DPI, answered questions. SENATOR FLAKOLL asked about the 140 mill minimum. When does the district need to notify they have made a change in their mills. MR. DECKER stated that by October 1, the mill levy is to be set.

JERRY COLEMAN, DPI, answered questions. A school district must file their budget August 1, but they have until October 10 to amend. The department uses the taxable valuation from the previous year. This is their procedure. In looking at this amendment, the districts would have one year to adjust their mills. It should probably be more specific. The mill deduct is applied to the 05-06 school year but they are using the taxable valuation of 04-05. More discussion.

REP. KELSCH stated most district that are not close to the 140 mills will only raise enough mills to cover the recapture dollars. SENATOR FREBORG stated we need to make sure we have one budget period in which the schools can adjust their budget and increase the levy, or whatever.

We need one year. MR. COLEMAN stated that the date then needs to be June 30, 2005.

REPRESENTATIVE KELSCH stated that if they have one year to raise their general fund mill levy, (2003 it is 112 and 2004 it is 118), they have raised the monies, it is just what they are using

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Senate Education Committee
Bill/Resolution Number Reeng. SB 2154
Hearing Date 4-21-03

to apply for the foundation aid. MR. COLEMAN stated they use the most recent available data, and that will be a year prior. JERRY COLEMAN, DPI, will produce a simple answer to how the department does it's math with the 140 mills and what timelines they follow and will present this to the committee.

TOM DECKER, DPI, answered more questions. SENATOR FLAKOLL had questions regarding the weighting factors. MR. DECKER stated the use of factors involves all schools for a 5 year average. Asked if they could use the "most efficient" schools to determine the weighting factors, he feels there would be too many variables and it would be unfair and not at all equitable.

ANITA THOMAS, LC, answered questions on the transportation aid and which district is responsible for the costs of transporting students to a district where a required subject is offered.

SENATOR FLAKOLL moved to adopt Section 7 in 38241.0349. Seconded by REPRESENTATIVE KELSCH.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

ANITA DECKER, DPI, answered questions from the committee on required units. SENATOR CHRISTENSON asked what is a unit. MS. DECKER replied it is a year long course with 120 academic hours and 150 contact hours for science. SEN. CHRISTENSON stated that under social studies, a history is not stipulated, that language has been over struck. **SENATOR CHRISTENSON moved to amend Section 7 by removing the overstrike in Section 7, subsection 1.d. Seconded by REP. KELSCH. The motion was withdrawn after discussion.**

REP. HANSON would oppose this because he doesn't feel geography and history should be together. SEN. FALKOLL asked if we could change "emphasize" to "include". Both SEN. CHRISTIANSON and REP. HANSON agreed that would help.

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Hearing Date 4-21-03

SENATOR CHRISTENSON moved to amend Section 7, subsection 1.d. by removing the overstrike on "including one of world history and one of United States history", and leave the rest of the sentence over struck. Seconded by **REPRESENTATIVE KELSCH**.

Roll Call Vote: 6 YES. 0 NO. 0 Absent.

The committee discussed Section 3, JPAs. **SENATOR FREBORG** asked if JPAs could be funded out of the contingency fund as we did with reorganization bonuses. We are still \$500,000 over what was in the House bill and with this we would be \$750,000 over the House version. It was stated the reorganization bonus has \$1 million in the contingency. **REP. KELSCH** asked if we could adopt the two sections dealing with JPAs and come in with further amendments dealing with an appropriation or taking it out of the contingency fund. **SEN. FLAKOLL** asked if we should look at more dollars but fewer number of JPAs. **SEN. FREBORG** said we are still at \$250,000 for five JPAs at \$50,000 each. **SENATOR FREBORG** stated that none of the JPAs that are operating now would qualify for any dollars.

REPRESENTATIVE KELSCH moved to adopt Section 3 and Section 19 of 38241.0.49.

Seconded by **SENATOR CHRISTENSON**.

Roll Call Vote: 5 YES. 1 NO. 0 Absent. Motion Carried.

REPRESENTATIVE HANSON voted NO because he doesn't think we should start and fund new programs when the state is so short of money. JPAs are starting and operating on their own without any state dollars now.

The committee was adjourned.

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PM, 4-21-03, continued.

CHAIRMAN FREBORG called the committee to order with all members present.

REPRESENTATIVE KELSCH presented an amendment (38241.0339) and explained it. This would ask a school board to continue their efforts to increase their teacher's salaries. This puts the burden on the local board.

REPRESENTATIVE KELSCH moved to adopt the amendment 38241.0339. Seconded by SENATOR FLAKOLL. SENATOR CHRISTENSON asked if this is something to be considered during negotiations. REP. KELSCH stated yes.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REPRESENTATIVE KELSCH asked about the verbiage in Section 7. There was discussion on what "elective" means in SB 2031. An elective is hard to determine. There is not a reporting process with DPI on electives. REP. KELSCH suggested a report be sent by districts. DPI felt the schools report enough and felt this would be an unnecessary burden. They feel the language should be in the bill defining "elective" if that is what the committee wants. SEN. FALKOLL asked if we are removing the "twelve units of electives".

REP. KELSCH moved to define elective (see vote 5). Seconded by SENATOR CHRISTENSON. The motion was withdrawn after discussion.

ANITA DECKER, DPI, spoke to the committee. More discussion by the committee.

REPRESENTATIVE KELSCH moved to define "elective" as "a unit not specifically required by the school district for graduation". Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 6 YES. 0 NO. 0 Absent.

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Senate Education Committee
Bill/Resolution Number Reeng. SB 2154
Hearing Date 4-21-03

REPRESENTATIVE KELSCH asked if the \$250,000 is available as an appropriation or as contingency money. Legal council has language ready for either option. SENATOR FREBORG stated we will know more tomorrow.

SENATOR FREBORG distributed an amendment 38241.0350. This asks DPI to determine the estimated costs of NCLB. He has talked with other states (see attached e-mail from Maple River Educ. Coalition) who have determined some of the costs and may not participate because of such.

SENATOR FLAKOLL moved to adopt the amendment 38241.0350. Seconded by REPRESENTATIVE KELSCH.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt an amendment to Section 7, subsection 1.j. of 38241.0349 to read "12 units of electives". Seconded by REP. KELSCH.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt Section 7 of 38241.0349 as amended. Seconded by REP. KELSCH.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

SENATOR FLAKOLL moved to adopt amendment 38241.0342. Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 5 YES. 1 NO. 0 Absent. Motion Carried.

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Hearing Date 4-21-03

ANITA THOMAS, LC, explained the amendment. If anything is left in the foundation aid line item, it would go to the school district. SENATOR FREBORG asked why \$10 million increase in the foundation aid payment did so little. JERRY COLEMAN, DPI, explained the mill deduct changes from 36 down to 34 mills. There was a change in how they calculated the weighting factors where they are applied to the lowest categories. Several minor changes as such caused the increase to not be very much. SENATOR FREBORG stated the deduct was worth about \$2.5 million, the dropping of 2 mills. There were also 500 less weighted pupil units. This is per year of the biennium. SEN. FREBORG stated that we've talked about reducing foundation aid by \$10 because the deduct will not raise as much. Is this each year of the biennium. MR. COLEMAN stated this is only in the 2nd year of the biennium. SEN. FREBORG stated we are still short about \$1 million and there is no contingency until this million is taken care of. REP. KELSCH asked if we need an amendment drafted to do this, or is it automatically paid out in this order. MR. COLEMAN stated the contingency money is paid out only after all the statutory obligations have been paid. Once the level of payment has been established, if there is money in the contingency, the payment will be made. This year there was \$3 million left over which was distributed.

Nothing further from the committee.

The committee was adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Reengrossed SB 2154

Senate Education Committee

Conference Committee

Hearing Date 4-22-03

Tape Number	Side A	Side B	Meter #
1	x		0 - end
1		x	0 - 1.8
Committee Clerk Signature <i>Andrea Johnson</i>			

Minutes: CHAIRMAN FREBORG called the committee to order with all members present.

SENATOR FREBORG presented the amendment 38241.0351.

ANITA THOMAS, LC, explained the "electives" issue again. She believes there is a conflict on page 5 dealing with electives. She would suggest 1. removing the reference to electives. (The committee felt the local control would take care of this issue.). 2. You could change the language. She would suggest referencing the 12 units of electives in this section. With a language change you could clarify whether you have 23 course offerings with additional electives, or you have 23 offerings, some or all of which could be considered electives. The committee felt there would be a concern with what the districts are offering.

BEV NIELSON, School Board Assn., feels we don't need to reference the electives.

MARY WAHL, ND Council of Ed. Leaders, stated she feels there is no need to reference the electives. It would flow within the local districts according to their needs.

GLORIA LOKKEN, NDEA, agrees.

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SENATOR CHRISTENSON has a concern if we don't address electives, she hopes this won't mean the other options are not available to students.

REPRESENTATIVE KELSCH moved to remove any reference to "electives" in course offerings. Seconded by REPRESENTATIVE JOHNSON.

Roll Call Vote: 4 YES. 2 NO. 0 Absent. Motion FAILS.

SENATOR FLAKOLL feels we are treading a fine line with local control. SENATOR CHRISTENSON asked if it was the number of electives. REPRESENTATIVE KELSCH stated it is not the number but the definition. SEN. CHRISTENSON feels eliminating the language could limit what courses the students may take for enriching their personal goals. REP. KELSCH asked if there would be support for changing it to six electives. REP. HANSON stated it makes no difference.

REPRESENTATIVE KELSCH stated the JPAs are just fine as they are (amendment 38241.0351). SENATOR FREBORG asked if there are any other areas that need to be discussed. Could the payment level be established which would leave the \$10 million intact in additional foundation aid, and the 140 mills minimum levy does not affect it, and the deduct is set.

SENATOR FLAKOLL stated regarding the FTE/hold harmless, he wants to make sure the language states it will all be prorated. ANITA THOMAS stated the funds are separated. The hold harmless comes from any override on the FTE,

SENATOR FLAKOLL moved that the money be prorated out on hold harmless for FTE in Section 36 of 38241.0351. Seconded by REPRESENTATIVE KELSCH.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

Page 3
Senate Education Committee
Bill/Resolution Number Reeng. SB 2154
Hearing Date 4-22-03.

SENATOR FREBORG stated we still need to find the dollars for the JPA's and the \$500,000 we made up in supplemental payments.

The committee was adjourned.

CHARIMAN FREBORG asked the committee to look at Section 14 in 38241.0351. There is not a record that it was adopted.

REPRESENTATIVE JOHNSON moved to adopt Section 14 in 38241.0351. Seconded by SENATOR FLAKOLL.

Roll Call Vote: 6 YES. 0 NO. 0 Absent.

REPRESENTATIVE KELSCH stated we had adopted this in .0340. But now we did it again.

ANITA DECKER, DPI, spoke to the committee on Section 7. DPI wants to know the intent of the legislation. The school's core curriculum is now approved on a 2- year or a 4- year basis.

She wants to know if this law would require DPI to look at curriculum on a year to year basis.

The question was raised do all schools offer all courses every year. SENATOR

CHRISTENSON asked if we should put in the bill "over the high school career"

SENATOR CHRISTENSON moved to amend Section 7, subsection 3.b., 1.) insert after units: "over the course of a high school career". Seconded by REP. HANSON.

BEV NIELSON, School Boards Assn., LARRY KLUNDT, ND Council of Educ. Leaders, and GLORIA LOKKEN, NDEA, all support this amendment.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REPRESENTATIVE KELSCH asked if we should discuss "electives". SENATOR

CHRISTENSON isn't sure what should be done. She would go along with eliminating

"electives" and would rely on the integrity of the school districts to do what is right.

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ANITA THOMAS, LC, would help clarify with the correct language and maintain the intent of the committee. An amendment that would eliminate j. and 3 a. would be appropriate.

SENATOR CHRISTENSON moved to amend Section 7; remove subsection 1. j. and subsection 3. a. Seconded by REPRESENTATIVE JOHNSON.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

REPRESENTATIVE KELSCH moved to amend Section 37 to state that JPAs be funded first from the contingency fund, and reorganization bonuses second, with \$250,000 on a prorated basis. Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 5 YES. 1 NO. 0 Absent. Motion Carried.

REPRESENTATIVE KELSCH stated that if there is only \$100,000 paid to the JPAs in the next biennium, the \$150,000 left would roll into the next \$1 million for reorganization.

REPRESENTATIVE KELSCH moved to adopt Section 9 of 38241.0351. Seconded by SENATOR FLAKOLL.

REPRESENTATIVE KELSCH explained the foundation aid payment being reduced by \$10. We passed out a bill that reduces the taxable valuation from 10% to 9 % on agriculture property. What that does is redistribute the money differently based on that levy. Because of that we would be short to pay out at the \$2633 level for the second year. In the first year the payment is \$2509. The second year is \$2623. This is not hard dollars to students. The money is subtracted out and redistributed.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

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Page 5
Senate Education Committee
Bill/Resolution Number Reeng. SB 2154
Hearing Date 4-22-03

SENATOR FLAKOLL moved that the House recede from its amendments and adopt 38241.0351 as amended. Seconded by REPRESENTATIVE KELSCH.

Roll Call Vote: 4 YES. 2 NO. 0 Absent. Motion Carried.

SENATOR FREBORG thanked the committee for their fine work and stated that there has never been a bill passed out that did more for elementary and secondary education both dollar wise and in other educational areas. He feels we provided a lot of equity and feels we are stepping in the right direction. REPRESENTATIVE KELSCH also thanked the committee for all their hard work and how they came together and come up with some very good solutions.

The committee was adjourned. AMEN.

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10-16-03
Date

Date: 4/11/03
Roll Call Vote #: 3

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. Reengrossed SB 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt Sec. 15

Motion Made By Rep. Kelsch Seconded By Sen. Flakoll

Senators	Yes	No	Representatives	Yes	No
Senator Freborg			Rep. R. Kelsch		
Senator Flakoll			Rep. D. Johnson		
Senator Christenson			Rep. Hanson		

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

withdrawn motion

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10-16-03
Date

Date: 4/14/03 PM
Roll Call Vote #: 1

**2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.**

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken moved that any \$'s in Sec. 31 be used hold-harmless

Motion Made By Sen. Flakoll Seconded By None

Senators	Yes	No	Representatives	Yes	No
Senator Freborg			Rep. R. Kelsch		
Senator Flakoll			Rep. D. Johnson		
Senator Christenson			Rep. Hanson		

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

motion died

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Yvonne d. Lee 10-16-03
Operator's Signature Date

38241.0335
Title.

Prepared by the Legislative Council staff for
Senator Freborg
April 15, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school district ending fund balances; to"

Page 1, line 4, remove the second "and" and after "appropriation" insert "; and to provide an effective date"

Page 1, after line 5, insert:

"SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Ending fund balance - Amount.

1. The board of a school district may carryover moneys to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended.
2. The amount carried over may not exceed fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

Page 11, after line 8, insert:

"SECTION 10. EFFECTIVE DATE. Section 1 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

Yuberena d. Lee
Operator's Signature

10-16-03
Date

Date: 4/15/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken moved to adopt 38241.0335

Motion Made By Rep. Kelsch Seconded By Sen. Flakoll

Senators	Yes	No	Representatives	Yes	No
Senator Freborg	✓		Rep. R. Kelsch	✓	
Senator Flakoll	✓		Rep. D. Johnson	✓	
Senator Christenson	✓		Rep. Hanson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

replaces Sec. 3, but is written as Sec. 1 -

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Yuberca d. Lee
Operator's Signature

10-16-03
Date

Date: 4/15/03
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DNP Sec. 3

Motion Made By Rep. Kelsch Seconded By Rep. Johnson

Senators	Yes	No	Representatives	Yes	No
Senator Freborg	✓		Rep. R. Kelsch	✓	
Senator Flakoll	✓		Rep. D. Johnson	✓	
Senator Christenson	✓		Rep. Hanson	✓	

Total (Yes) 6 No 0
Absent 0
Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Yheresa J. Lee 10-16-03
Operator's Signature Date

Date: 4/15/03
Roll Call Vote #: 5

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken moved to Dept Sec 27 as amend w summit

Motion Made By Sen. Flakoll Seconded By Rep. Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Freborg	✓		Rep. R. Kelsch	✓	
Senator Flakoll	✓		Rep. D. Johnson	✓	
Senator Christenson	✓		Rep. Hanson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Yherosa J. Lee 10-16-03
Operator's Signature Date

Date: 4/15/03
Roll Call Vote #: 12

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt Sec. 14 (clean up 4 parait

Motion Made By Rep. Hanson Seconded By Rep. Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Freborg	✓		Rep. R. Kelsch	✓	
Senator Flakoll	✓		Rep. D. Johnson	✓	
Senator Christenson	✓		Rep. Hanson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Yvonne J. Lee Operator's Signature 10-16-03 Date

*Rep. Hanson's amendment
4/15/03*

1 **High school district - Change to elementary district - Prohibited.**

2 1. Beginning July 2, 2003, a high school district may not become an elementary
3 district.

4 2. Subsection 1 does not apply to elementary school districts participating in
5 cooperative agreements approved by the superintendent of public instruction.

6 **SECTION 3.** A new section to chapter 15.1-07 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Interim fund.**

9 1. The board of a school district may include in its budget an item to be known as the
10 "interim fund". The interim fund must be carried over to the ensuing fiscal year to
11 meet the cash requirements of all funds or purposes to which the credit of the
12 school district may be legally extended for that portion of the fiscal year prior to the
13 receipt of taxes.

14 2. The amount in the interim fund may not exceed the lesser of:

15 a. The amount reasonably required to finance the school district for the first nine
16 months of the ensuing fiscal year; or

17 b. Fifty percent of the current annual appropriation for all purposes other than
18 debt retirement and appropriations financed from bond sources plus twenty
19 thousand dollars.

20 **SECTION 4.** A new section to chapter 15.1-12 of the North Dakota Century Code is
21 created and enacted as follows:

22 **State board of public school education - Approval of elementary districts**

23 **prohibited.** The state board of public school education may not approve any reorganization
24 plan that would result in the creation of an elementary district.

25 **SECTION 5 AMENDMENT.** Section 15.1-16-02 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 **15.1-16-02. Education factfinding commission - Appointment - Terms - Quorum.**

28 1. The education factfinding commission consists of three members experienced in
29 educational activities, at least one of whom must be a teacher or a retired teacher
30 and at least one of whom must have served as a member of a school board. One
31 member is appointed by the governor, one member is appointed by the

To include

*amended by
Hanson*

Fifty-eighth
Legislative Assembly

- 1 superintendent of public instruction, and one member is appointed by the attorney
2 general. The member appointed by the superintendent of public instruction shall
3 serve as the chairman of the commission.
4 *Amend.*
5 *Amend.*
6 2. The term of each commission member is three years staggered.
7 3. If a vacancy occurs, the individual who appointed the member to be succeeded
8 shall appoint a new member to serve only the unexpired term of the member to be
9 succeeded.
10 4. Two members of the commission constitute a quorum.

11 **SECTION 6. AMENDMENT.** Section 15.1-27-04 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **15.1-27-04. Per student payment.** The per student payment to which each school
14 district is entitled for the first year of the biennium is two thousand ~~two~~ four hundred
15 ~~eighty-seven~~ eighty dollars. The per student payment to which each school district is entitled
16 for the second year of the biennium is two thousand ~~three~~ five hundred ~~forty-seven~~ sixty-nine
17 dollars. The per student amount is the basis for calculating state payments to school districts,
18 as provided in sections 15.1-27-06 and 15.1-27-07.

19 **SECTION 7. AMENDMENT.** Section 15.1-27-06 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **15.1-27-06. Per student payments - Weighting factors - High school students.**

22 The superintendent of public instruction shall make payments each year, as provided for in this
23 section, to each school district operating a high school and to each school district contracting to
24 educate high school students in a federal school, subject to adjustment as provided in section
25 15.1-27-21.

- 26 1. Each district having under seventy-five students in average daily membership in
27 grades nine through twelve is entitled to receive the amount of money that results
28 from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty percent of the
29 difference between 1.625 and the factor representing the five-year average cost of
30 education per student for this category, as determined by the superintendent of
31 public instruction, by the number of students in grades nine through twelve who
are registered in that district, times the per student payment provided for in section
15.1-27-04. Beginning July 1, 2004, the factor is 1.625 adjusted by eighty-five

Date: 4/15/03
Roll Call Vote #: 26

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt. Sec. 33

Motion Made By Sen. Flakoll Seconded By Rep. Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Freborg	✓		Rep. R. Kelsch	✓	
Senator Flakoll	✓		Rep. D. Johnson	✓	
Senator Christenson	✓		Rep. Hanson	✓	

Total (Yes) 6 No 0

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Yubereca d. Lee 10-16-03
Operator's Signature Date

_____ suant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 31. CONTINGENT PAYMENTS - TEACHER COMPENSATION REIMBURSEMENT PAYMENTS - ADDITIONAL PER STUDENT PAYMENTS. If the superintendent of public instruction determines that the amount appropriated for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 will exceed the total of all statutory obligations for teacher compensation reimbursement payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent shall distribute the remaining funds as additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

X
~~SECTION 32. STATE AID PAYMENTS - INCREASE - TEACHER COMPENSATION.~~ Notwithstanding the provisions of any other law, if a school district receives more in state aid for per student payments and ~~transportation payments during~~ the 2003-05 biennium than the district received for per student payments and transportation payments during the 2001-03 biennium, the district must dedicate an amount equal to at least seventy percent of the increase for the exclusive purpose of teacher compensation increases.

advised
~~SECTION 33. APPROPRIATION.~~ There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

DNP
SECTION 34. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 35. EFFECTIVE DATE. Section 3 of this Act is effective for taxable years beginning after December 31, 2003."

Renumber accordingly

Christensen amend

Page No. 17

38241.0316

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Yvonne d. Lee
Operator's Signature

10-16-03
Date

38241.0336
Title.

Prepared by the Legislative Council staff for
Senator Flakoll
April 16, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 4, after "compensation" insert "; to provide a deadline and report for the data envelopment analysis project"

Page 11, after line 8, insert:

"SECTION 9. DATA ENVELOPMENT ANALYSIS - COMPLETION DATE - REPORT. The superintendent of public instruction shall complete the data envelopment analysis project, as set forth in Senate Bill No. 2032, as approved by the fifty-eighth legislative assembly, on or before September 1, 2004, and shall report any findings and conclusions to a committee designated by the legislative council as soon after that date as practicable."

Renumber accordingly

Page No. 1

38241.0336

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Yherosa J. Lee
Operator's Signature

10-16-03
Date

38241.0334
Title.

4/14/03
Prepared by the Legislative Council staff for
Senator Flakoll
April 14, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "to" insert "create and enact two new sections to chapter 15.1-07 of the North Dakota Century Code, relating to school district interim funds; to"

Page 1, line 4, remove the second "and" and after "appropriation" insert "; to provide an effective date; and to provide an expiration date"

Page 1, after line 5, insert:

"SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Interim fund.

1. The board of a school district may include in its budget an item to be known as the "interim fund". The interim fund must be carried over to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended for that portion of the fiscal year prior to the receipt of taxes.
2. The amount in the interim fund may not exceed the lesser of:
 - a. The amount reasonably required to finance the school district for the first nine months of the ensuing fiscal year; or
 - b. Forty-five percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars."

Page 11, after line 8, insert:

"SECTION 9. EFFECTIVE DATE - EXPIRATION DATE. Section 1 of this Act is effective for the first two taxable years beginning after December 31, 2003, and thereafter is ineffective. Section 2 of this Act is effective for taxable years beginning after December 31, 2005."

Renumber accordingly

2007

Page No. 2

38241.0334

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Yubereca d. Lee
Operator's Signature

10-16-03
Date

38241.0344
Title.

*(replaces
.0334)*

4/17/03
Prepared by the Legislative Council staff for
Senator Flakoll
April 17, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after the first comma insert "15.1-27-05,"

Page 1, line 3, after the first comma insert "school district ending fund balances,"

Page 1, after line 13, insert:

"SECTION 2. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, transportation aid, and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of thirty-two mills times the latest available net assessed and equalized valuation of property in the district.
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, transportation aid, and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of thirty-two mills times the latest available net assessed and equalized valuation of property in the district.
2. The For school years beginning July 1, 2004, and ending June 30, 2008, the amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars.
3. For school years beginning July 1, 2008, the amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of forty-five percent of its actual expenditures, plus twenty thousand dollars.

Renumber accordingly

Yubereca d. Lee
Operator's Signature

10-16-03
Date

Renumber accordingly

Page No. 3

38241.0340

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Yubereca d. Lee
Operator's Signature

10-16-03
Date

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after the first comma insert "15.1-27-05,"

Page 1, line 3, after the second comma insert "the school district equalization factor,"

Page 1, after line 13, insert:

"**SECTION 2. AMENDMENT.** Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, ²⁰⁰⁵2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of thirty-two mills times the latest available net assessed and equalized valuation of property in the district;
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars; and
3. If the total mills levied by the district for general fund purposes, plus the total mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the number of mills by which the district's levies are below one hundred forty mills multiplied by the taxable valuation of property in the district.

(Effective after June 30, ²⁰⁰⁵2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of thirty-two mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district;
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars; and
3. If the total mills levied by the district for general fund purposes, plus the total mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the number of mills by which the district's levies are below one hundred forty mills multiplied by the taxable valuation of property in the district."

Date: 4/17/03
Roll Call Vote #: 3

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt amended amendment 3824.0340

Motion Made By Rep. Kelsch Seconded By Sen. Flakoll

Senators	Yes	No	Representatives	Yes	No
Senator Freborg	✓		Rep. R. Kelsch	✓	
Senator Flakoll	✓		Rep. D. Johnson	✓	
Senator Christenson	✓		Rep. Hanson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Yuberca d. Lee 10-16-03
Operator's Signature Date

38241.0338
Title.

JPA's

4/17/03

Prepared by the Legislative Council staff for
Senator Christenson
April 16, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-07 and a new section to chapter 15.1-27 of the North Dakota Century Code, relating to approved joint powers agreements and reimbursement for participation; to"

Page 1, after line 5, insert:

"SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Joint powers agreement - Approval by superintendent of public instruction - Criteria. In order for the superintendent of public instruction to approve a joint powers agreement, the superintendent shall determine and annually verify that:

1. a. The participating school districts are contiguous; and
 - b. (1) The total land mass of the participating school districts exceeds four thousand square miles [1035995 hectares];
 - (2) The total land mass of the participating school districts exceeds two thousand five hundred square miles [647497 hectares] and the participating school districts number at least six; or
 - (3) The total land mass of the participating school districts exceeds two thousand five hundred square miles [1035995 hectares] and the total number of students in average daily membership in the participating school districts exceeds two thousand five hundred.
2. The joint powers agreement provides that a school district contiguous to those already participating in the joint powers agreement may become a participant in the agreement at any time.
3. The joint powers agreement requires that the participating school districts agree to maintain a joint operating fund, agree to share administrative functions, or agree to implement various common requirements; provided that:
 - a. If the participating school districts agree to establish a joint operating fund, the joint powers agreement must require that during the first school year following approval, the participating school districts shall establish a joint operating fund equal to at least two percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; during the second school year following approval, the participating school districts shall establish a joint operating fund equal to at least four percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; and during the fifth school year following approval, the participating school districts shall

Page No. 1

Pages
missing

38241.0338

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Yheresa d. Lee
Operator's Signature

10-16-03
Date

- (4) A common class registration process for grades seven through twelve;
- (5) A common curriculum for each grade level from kindergarten through six;
- (6) A common student data system;
- (7) A common school improvement and staff development process;
- (8) Common services, as set forth in a five-year plan;
- (9) A school facilities plan; and
- (10) Joint funding of dual credit and advance placement courses.

- 4. The joint powers agreement provides for the employment and compensation of a chief administrator and other staff necessary to carry out the provisions of the agreement and the requirements of this Act.

SECTION 2. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

Approved joint powers agreement - Reimbursement by superintendent of public instruction.

- 1. The individual employed as a chief administrator for the purpose of carrying out the provisions of a joint powers agreement and any requirements under section 1 of this Act shall submit to the superintendent of public instruction, at the time and in the manner designated by the superintendent, receipts for expenses incurred during a school year in delivering services and programs under section 1 of this Act.
- 2. The superintendent of public instruction, upon verifying the receipts, shall reimburse the chief administrator of the joint powers agreement for any expenses incurred in delivering services and programs under the auspices of the joint powers agreement as provided in section 1 of this Act. The reimbursement may not exceed the lesser of:
 - a. The total expenses incurred in delivering services and programs under section 1 of this Act; or
 - b. Fifty thousand dollars. *(reduction fr. original 75,000 this is fund 5 JPA's)*
- 3. The chief administrator shall deposit any moneys received under subsection 2 in the participating districts' joint operating fund.
- 4. The superintendent of public instruction may not provide any reimbursement under this section unless the joint powers agreement under which the services and programs are delivered has been approved by the superintendent."

Page 11, line 1, remove "and joint powers"

Page 11, line 2, remove "agreement incentives to school districts"

Page 11, after line 8, insert:

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

Fruborg

Fifty-eighth
Legislative Assembly

1 payments to which the district is entitled for each student charged an unauthorized
2 fee.

3 **SECTION 5.** A new section to chapter 15.1-12 of the North Dakota Century Code is
4 created and enacted as follows:

5 **State board of public school education - Approval of elementary districts**
6 **prohibited.** The state board of public school education may not approve any reorganization
7 plan that would result in the creation of an elementary district.

8 **SECTION 6. AMENDMENT.** Subsection 6 of section 15.1-27-01 of the North Dakota
9 Century Code is amended and reenacted as follows:

10 6. If funds appropriated for distribution to districts as ~~per student and transportation~~
11 state aid become available after April first, the superintendent of public instruction
12 shall distribute the newly available payments on or before June thirtieth.

13 **SECTION 7. AMENDMENT.** Section 15.1-27-04 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **15.1-27-04. Per student payment.** The per student payment to which each school
16 district is entitled for the first year of the biennium is two thousand ~~two~~ five hundred
17 ~~eighty-seven~~ nine dollars. The per student payment to which each school district is entitled for
18 the second year of the biennium is two thousand ~~three~~ six hundred ~~forty-seven~~ thirty-three
19 dollars. The per student amount is the basis for calculating state payments to school districts,
20 as provided in sections 15.1-27-06 and 15.1-27-07.

21 **SECTION 8. AMENDMENT.** Section 15.1-27-05 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **15.1-27-05. (Effective through June 30, 2004) School district equalization factor.**
24 To determine the amount of payments due a school district, the superintendent of public
25 instruction shall add the tuition apportionment payments, per student payments, special
26 education aid, ~~_____~~ and teacher compensation payments for which a school
27 district is eligible and from that total subtract the following:

28 1. The product of ~~thirty-two~~ thirty-four mills times the latest available net assessed
29 and equalized valuation of property in the district.

38241.0343
Title.

Prepared by the Legislative Council staff for
Senator Flakoll

April 17, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 4, after "compensation" insert "; to provide for hold harmless payments"

Page 10, after line 23, insert:

"SECTION 7. DISTRIBUTION OF DIFFERENCE IN PAYMENTS - HOLD HARMLESS PAYMENTS.

1. If funds appropriated by the legislative assembly to the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, remain after completion of all statutory obligations, to the extent of legislative appropriations, the superintendent of public instruction shall:
 - a. Calculate the payment to which a school district is entitled during the 2003-05 biennium under this Act; and
 - b. Calculate the payment to which a school district would have been entitled during the 2003-05 biennium under this Act if the per student payments established in section 15.1-27-04 had included the total amount appropriated to the grants - teacher compensation payments line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, and further provided that no requirements for teacher compensation were placed on school districts by section 15.1-27-37.
2. If the amount to which a school district is entitled during the biennium under this Act is less than the amount to which a school district would have been entitled under the parameters of subdivision b of subsection 1, the superintendent of public instruction shall forward the difference between the amounts to the school district on or before June 30, 2005.
3. If the superintendent of public instruction determines that the funds remaining are insufficient to meet the requirements of subsection 2, the superintendent shall prorate the amount payable to school districts, based on the percentage of the total amount to which a district is entitled."

Renumber accordingly

Page No. 1

38241.0343

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Date

38241.0347
Title.

DRAFT

Prepared by the Legislative Council staff for
Senator Freborg

April 18, 2004

SENATE

PROPOSED AMENDMENTS TO REENGROSSED ~~HOUSE~~ BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact four new sections to chapter 15.1-07, a new section to chapter 15.1-12, and a new section to chapter 15.1-27 of the North Dakota Century Code, relating to school district plans, reorganizations, ending balances, and joint powers agreements; to amend and reenact subsection 5 of section 15.1-09-36, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, section 15.1-27-11, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, and teacher compensation reimbursement; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide for the distribution of transportation grants; to provide for a legislative council study; to provide for data envelopment analysis completion; to provide for contingent payments; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing three-year and five-year periods, and specifically addressing potential effects on:
 - a. Academic and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

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1. Beginning July 2, 2003, a high school district may not become an elementary district.
2. Subsection 1 does not apply to elementary school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

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Joint powers agreement - Approval by superintendent of public instruction - Criteria. If school districts participating in joint powers agreements under chapter 54-40.3 wish to receive reimbursement for expenses, as provided in section 18 of this Act, the school districts must request that the superintendent of public instruction approve their joint powers agreement. In order for the superintendent of public instruction to approve a joint powers agreement, the superintendent shall determine and annually verify that:

1.
 - a. The participating school districts are contiguous; and
 - b.
 - (1) The total land mass of the participating school districts exceeds four thousand square miles [1035995 hectares];
 - (2) The total land mass of the participating school districts exceeds two thousand five hundred square miles [647497 hectares] and the participating school districts number at least six; or
 - (3) The total land mass of the participating school districts exceeds two thousand five hundred square miles [1035995 hectares] and the total number of students in average daily membership in the participating school districts exceeds two thousand five hundred.
2. The joint powers agreement provides that a school district contiguous to those already participating in the joint powers agreement may become a participant in the agreement at any time.
3. The joint powers agreement requires that the participating school districts agree to maintain a joint operating fund, agree to share administrative functions, or agree to implement various common requirements; provided that:
 - a. If the participating school districts agree to establish a joint operating fund, the joint powers agreement must require that during the first school year following approval, the participating school districts shall establish a joint operating fund equal to at least two percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; during the second school year following approval, the participating school districts shall establish a joint operating fund equal to at least four percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; and during the fifth school year following approval, the participating school districts shall establish a joint operating fund equal to at least six percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval;
 - b. If the participating school districts agree to share administrative functions, the joint powers agreement must require that during the first school year following approval, all of the participating districts shall

share in the administration of at least three services; during the third school year following approval, all of the participating districts shall share in the administration of at least five services; and during the fifth school year following approval, all of the participating districts shall share in the administration of at least seven services; and that the list of services for which the participating districts must share administration as required by this subsection are:

- (1) Federal title program management;
- (2) Staff development;
- (3) Special education delivery;
- (4) Curriculum development or delivery;
- (5) Vocation education delivery;
- (6) Student instructional support;
- (7) Media and technology;
- (8) Business management;
- (9) Distance learning;
- (10) Student counselling;
- (11) Food and nutrition;
- (12) Facility safety and health;
- (13) School accreditation and improvement; and
- (14) Transportation; and

c. If the participating school districts agree to implement various common requirements, the joint powers agreement must require that during the first school year following approval, all of the participating districts shall implement at least three requirements; during the third school year following approval, all of the participating districts shall implement at least six requirements; and during the fifth school year following approval, all of the participating districts shall implement at least eight requirements; and that the list of requirements from which the participating districts must make their selections as required by this subsection are:

- (1) A common school calendar;
- (2) A common class schedule;
- (3) A common intranet communication system;
- (4) A common class registration process for grades seven through twelve;
- (5) A common curriculum for each grade level from kindergarten through six;
- (6) A common student data system;

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- (7) A common school improvement and staff development process;
 - (8) Common services, as set forth in a five-year plan;
 - (9) A school facilities plan; and
 - (10) Joint funding of dual credit and advance placement courses.
4. The joint powers agreement provides for the employment and compensation of a chief administrator and other staff necessary to carry out the provisions of the agreement and the requirements of this Act.

SECTION 4. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

* **Ending fund balance - Amount.**

- 1. The board of a school district may carryover moneys to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended.
- 2. For taxable years beginning after December 31, 2003, and ending on December 31, 2007, the amount carried over by a school district may not exceed fifty percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.
- 3. For taxable years beginning after December 31, 2007, the amount carried over by a school district may not exceed forty-five percent of the current annual appropriation for all purposes other than debt retirement and appropriations financed from bond sources plus twenty thousand dollars.

SECTION 5. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

- 5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation~~ state aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 6. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 7. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

- 6. If funds appropriated for distribution to districts as ~~per student and transportation~~ state aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 8. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. **Per student payment.** The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two~~ five hundred ~~eighty-seven~~ nine dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three~~ six hundred ~~forty-seven~~ thirty-three dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 9. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty-two~~ thirty-four mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district; and
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - a. The product of ~~thirty-two~~ thirty-six mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district; and
 - b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars.

(Effective after June 30, 2005) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - a. The product of ~~thirty-two~~ thirty-eight mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district;
 - b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars; and
 - c. If the total mills levied by the district for general fund purposes, plus the total mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the number of mills by which the district's levies are below one hundred forty mills multiplied by the taxable valuation of property in the district.

*mill deduct
34-36*

*Del deals w min.
140 mills*

*reflects w happens after
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2. Beginning July 1, 2006, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

(Effective after June 30, 2008) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1.~~ a. The product of ~~thirty-two mills~~ the number of mills prescribed in subsection 2 times the ~~latest available not assessed and equalized taxable~~ valuation of property in the district;
 - ~~2.~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of ~~thirty~~ ~~forty-five~~ * percent of its actual expenditures, plus twenty thousand dollars; and
 - c. If the total mills levied by the district for general fund purposes, plus the total mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the number of mills by which the district's levies are below one hundred forty mills multiplied by the taxable valuation of property in the district.
2. The number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

SECTION 10. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the

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superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:

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- a. Must have completed the work of the eighth grade;
- b. Must not have completed the work of the twelfth grade; and
- c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 11. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this

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subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section

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15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 12. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state~~ aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 13. AMENDMENT. Section 15.1-27-11 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-11. High school districts - Supplemental payments.

1. The superintendent of public instruction shall calculate the average valuation of property per student by dividing the number of students in average daily membership in grades one through twelve in a high school district into the sum of:
 - a. The district's latest available net assessed and equalized taxable valuation of property; plus
 - b. All tuition payments and county and unrestricted federal revenue received by the district, divided by the total of the district's general fund levy, high school transportation levy, and high school tuition levy.
2. If the quotient is less than the latest available statewide average taxable valuation per student and if the district's educational expenditure per student is below the most recent available statewide average cost of education per student, the superintendent of public instruction shall:
 1. a. Determine the difference between the latest available statewide average taxable valuation per student and the average taxable valuation per student in the high school district;
 2. b. Multiply the result determined under ~~subsection 1~~ subdivision a by the number of students in average daily membership in grades one through twelve in the high school district;
 3. c. Multiply the result determined under ~~subsection 2~~ subdivision b by the number of general fund mills levied by the district in excess of one hundred fifty, provided that any mills levied by the district which are in excess of two hundred ten may not be used in this calculation; and
 4. d. Multiply the result determined under ~~subsection 3~~ subdivision c by a factor calculated by the superintendent of public instruction which results in the expenditure over the course of the biennium of the full amount provided for the purpose of this section.
 - e. The result is the supplemental payment to which a high school district is entitled, in addition to any other amount provided under chapter 15.1-27.

SECTION 14. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 15. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid.~~

SECTION 16. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 17. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002.~~
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices

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board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.

d. For the 2004-05 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.

4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 18. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

*** **Approved joint powers agreement - Reimbursement by superintendent of public instruction.**

1. The individual employed as a chief administrator for the purpose of carrying out the provisions of a joint powers agreement and any requirements under section 3 of this Act shall submit to the superintendent of public instruction, at the time and in the manner designated by the superintendent, receipts for expenses incurred during a school year in delivering services and programs under section 3 of this Act.
2. The superintendent of public instruction, upon verifying the receipts, shall reimburse the chief administrator of the joint powers agreement for any expenses incurred in delivering services and programs under the auspices of the joint powers agreement as provided in section 3 of this Act. The reimbursement may not exceed the lesser of:
 - a. The total expenses incurred in delivering services and programs under section 3 of this Act; or
 - b. Fifty thousand dollars.
3. The chief administrator shall deposit any moneys received under subsection 2 in the participating districts' joint operating fund.
4. The superintendent of public instruction may not provide any reimbursement under this section unless the joint powers agreement under which the services and programs are delivered has been approved by the superintendent.

SECTION 19. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount.

1. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a minimum salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars.

2. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a ~~base~~ minimum salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars.

SECTION 20. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3.
 - a. The superintendent of public instruction shall forward all ~~per student and transportation~~ state aid payments for a student attending an out-of-state school to the student's school district of residence.
 - b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.

~~e. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~

4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 21. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.

SECTION 22. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

1. a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation~~ state aid otherwise payable for the nonresident student.
2. a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.

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- e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 23. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3.
 - a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
 - b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools:
 - (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.

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4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.
5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation~~ state aid otherwise payable to the student's school district of residence until the tuition due has been fully paid.
6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student~~ state aid payments and transportation aid to schools in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools.
8.
 - a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
 - (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.
 - b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.

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9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 24. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 25. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 26. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.
- e. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 27. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 28. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3. a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 29. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 30. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

*Amended
language passed*

SECTION 31. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 32. DATA DEVELOPMENT ANALYSIS - COMPLETION DATE - REPORT. The superintendent of public instruction shall complete the data development analysis project, as set forth in Senate Bill No. 2032, as approved by the fifty-eighth legislative assembly, on or before September 1, 2004, and shall report any findings and conclusions to a committee designated by the legislative council as soon after that date as practicable.

SECTION 33. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 34. SUPPLEMENTAL PAYMENTS - DISTRIBUTION. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, an amount for supplemental payments under section 15.1-27-11 equal to the amount that payments to school districts have been reduced as a result of the application of subsection 3 of section 15.1-27-05.

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SECTION 35. CONTINGENT PAYMENTS - DISTRIBUTION. If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 or for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 remain after payment of all statutory obligations for per student and transportation payments and for teacher compensation reimbursement payments, respectively, during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent of public instruction shall combine the remaining moneys and distribute the moneys as follows:

1. The superintendent of public instruction shall use the first \$1,000,000 for the purpose of providing reorganization bonuses pursuant to section 15.1-12-11.1 to school districts having reorganizations effective after July 1, 2003, and before July 1, 2005.
2. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis, according to average daily membership of each school district during the 2004-05 school year.

SECTION 36. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 37. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed."

Renumber accordingly

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Date

38241.0348
Title.

Prepared by the Legislative Council staff for
Senator Flakoll
April 18, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 4, after "compensation" insert "; to provide for teacher compensation"

Page 11, after line 8, insert:

"SECTION 9. TEACHER COMPENSATION. Notwithstanding the provisions of any other law, the board of a school district shall use all per student payments received from the state for the exclusive purpose of providing compensation to teachers."

Renumber accordingly

Page No. 1

38241.0348

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10-16-03
Date

38241.0345
Title.

Prepared by the Legislative Council staff for
Senator Flakoll
April 18, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 4, after "compensation" insert "; to provide for a legislative council study"

Page 10, after line 23, insert:

"SECTION 7. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods, including one that considers the amount of local contribution according to a per resident basis. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Renumber accordingly

Page No. 1

38241.0345

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10-16-03
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Title.

4/21/03

Prepared by the Legislative Council staff for
Senator Freborg
April 18, 2004

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact four new sections to chapter 15.1-07, a new section to chapter 15.1-12, and a new section to chapter 15.1-27 of the North Dakota Century Code, relating to school district plans, reorganizations, ending balances, and joint powers agreements; to amend and reenact subsection 5 of section 15.1-09-36, section 15.1-21-02, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, section 15.1-27-11, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, teacher compensation reimbursement, and high school units; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide for the distribution of transportation grants; to provide for a legislative council study; to provide for data envelopment analysis completion; to provide for contingent payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing three-year and five-year periods, and specifically addressing potential effects on:
 - a. Academic and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.
2. Subsection 1 does not apply to school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

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Joint powers agreement - Approval by superintendent of public instruction - Criteria. If school districts participating in joint powers agreements under chapter 54-40.3 wish to receive reimbursement for expenses, as provided in section 18 of this Act, the school districts must request that the superintendent of public instruction approve their joint powers agreement. In order for the superintendent of public instruction to approve a joint powers agreement, the superintendent shall determine and annually verify that:

1. a. The participating school districts are contiguous; and
 - b. (1) The total land mass of the participating school districts exceeds four thousand square miles [1035995 hectares];
 - (2) The total land mass of the participating school districts exceeds two thousand five hundred square miles [647497 hectares] and the participating school districts number at least six; or
 - (3) The total land mass of the participating school districts exceeds two thousand five hundred square miles [1035995 hectares] and the total number of students in average daily membership in the participating school districts exceeds two thousand five hundred.
2. The joint powers agreement provides that a school district contiguous to any school district already participating in the joint powers agreement may become a participant in the agreement at any time.
3. The joint powers agreement requires that the participating school districts agree to maintain a joint operating fund, agree to share administrative functions, or agree to implement various common requirements; provided that:
 - a. If the participating school districts agree to establish a joint operating fund, the joint powers agreement must require that during the first school year following approval, the participating school districts shall establish a joint operating fund equal to at least two percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; during the second school year following approval, the participating school districts shall establish a joint operating fund equal to at least four percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; and during the fifth school year following approval, the participating school districts shall establish a joint operating fund equal to at least six percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval;
 - b. If the participating school districts agree to share administrative functions, the joint powers agreement must require that during the first

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school year following approval, all of the participating districts shall share in the administration of at least three services; during the third school year following approval, all of the participating districts shall share in the administration of at least five services; and during the fifth school year following approval, all of the participating districts shall share in the administration of at least seven services; and that the list from which the participating districts must select the services to be shared consists of:

- (1) Federal title program management;
- (2) Staff development;
- (3) Special education delivery;
- (4) Curriculum development or delivery;
- (5) Career and technical education delivery;
- (6) Student instructional support;
- (7) Media and technology;
- (8) Business management;
- (9) Distance learning;
- (10) Student counseling;
- (11) Food and nutrition;
- (12) Facility safety and health;
- (13) School accreditation and improvement; and
- (14) Transportation; and

c. If the participating school districts agree to implement various common requirements, the joint powers agreement must require that during the first school year following approval, all of the participating districts shall implement at least three requirements; during the third school year following approval, all of the participating districts shall implement at least six requirements; and during the fifth school year following approval, all of the participating districts shall implement at least eight requirements; and that the list from which the participating districts must select the requirements to be implemented consists of:

- (1) A common school calendar;
- (2) A common class schedule;
- (3) A common intranet communication system;
- (4) A common class registration process for grades seven through twelve;
- (5) A common curriculum for each grade level from kindergarten through six;
- (6) A common student data system;

- (7) A common school improvement and staff development process;
 - (8) Common services, as set forth in a five-year plan;
 - (9) A school facilities plan; and
 - (10) Joint funding of dual credit and advance placement courses.
4. The joint powers agreement provides for the employment and compensation of a chief administrator and other staff necessary to carry out the provisions of the agreement and the requirements of this section and section 15.1-27-37.

SECTION 4. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Ending fund balance - Amount.

- 1. The board of a school district may carryover moneys to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended.
- 2. For taxable years beginning after December 31, 2003, and ending on December 31, 2007, the amount carried over by a school district may not exceed fifty percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.
- 3. For taxable years beginning after December 31, 2007, the amount carried over by a school district may not exceed forty-five percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.

SECTION 5. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

- 5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation~~ state aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 6. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 7. AMENDMENT. Section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02. High schools - Required units.

- 1. In order to be approved by the superintendent of public instruction, each public and nonpublic high school shall make available to each student:
 - 1- a. Four units of English; language arts;
 - 2- b. ~~Three~~ Four units of mathematics;

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3. a. Four units of science;
4. d. Three ~~Four~~ units of social studies, including one of world history and one of United States history, both of which must emphasize geography;
5. e. One ~~One-half~~ unit of health and during each school year;
6. f. One-half unit of physical education, during each school year;
6. g. ~~One unit of~~ Two units of fine arts, at least one of which must be music;
7. Any six units selected from business education, economics and the free enterprise system, foreign language, American sign language, and vocational courses including family and consumer sciences, agriculture, business and office technology, marketing, diversified occupations, trade and industrial education, technology education, and health careers. The vocational courses may be offered through cooperative arrangements approved by the state board for vocational and technical education.
 - h. Two units of the same foreign language;
 - i. Two units of vocational education; and
 - ~~Twelve units in addition to the units in subdivisions a through i.~~
2. Each unit which must be made available under subsection 1 must meet or exceed the state content standards.
3. For purposes of this section, unless the context otherwise requires, "make available" means that:
 - a. Each public high school and nonpublic high school shall allow students to select units from a list that includes at least all the units provided in subsection 1;
 - b. If a student selects a unit from the list required by subsection 1, the public high school or the nonpublic high school shall provide the unit to the student; and
 - c. The unit may be provided to the student through any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.
4. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
5. If in order to meet the minimum requirements of this section a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall:
 - a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and

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b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family.

6. The requirements of this section do not apply to alternative high schools or alternative high school education programs.

SECTION 8. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation state aid~~ become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 9. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two five~~ hundred ~~eighty seven nine~~ dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three six~~ hundred ~~forty seven thirty-three~~ dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 10. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty-two~~ thirty-four mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district; and
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 1. a. The product of ~~thirty-two~~ thirty-six mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district;
 2. b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars; and
 3. c. If the number of mills levied by the district for general fund purposes, plus the number of mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the

number of mills by which the district's levies are below one hundred forty mills multiplied by the taxable valuation of property in the district.

2. Beginning July 1, 2006, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

(Effective after June 30, 2008) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 1. a. ~~The product of thirty-two mills~~ the number of mills prescribed in subsection 2 times the latest available net-assessed and equalized taxable valuation of property in the district;
 2. b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of ~~forty~~ forty-five percent of its actual expenditures, plus twenty thousand dollars; and
 3. c. If the number of mills levied by the district for general fund purposes, plus the number of mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the number of mills by which the district's levies are below one hundred forty mills multiplied by the taxable valuation of property in the district.
2. The number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

SECTION 11. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the

factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.

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6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 12. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1.
 - a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the

superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for

school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 13. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state aid payments.~~ For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 14. AMENDMENT. Section 15.1-27-11 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-11. High school districts - Supplemental payments.

1. The superintendent of public instruction shall calculate the average valuation of property per student by dividing the number of students in average daily membership in grades one through twelve in a high school district into the sum of:
 - a. The district's latest available net assessed and equalized taxable valuation of property; plus
 - b. All tuition payments and county and unrestricted federal revenue received by the district, divided by the total of the district's general fund levy, high school transportation levy, and high school tuition levy.
2. If the quotient is less than the latest available statewide average taxable valuation per student and if the district's educational expenditure per student is below the most recent available statewide average cost of education per student, the superintendent of public instruction shall:
 - 1- a. Determine the difference between the latest available statewide average taxable valuation per student and the average taxable valuation per student in the high school district;
 - 2- b. Multiply the result determined under ~~subsection 1~~ subdivision a by the number of students in average daily membership in grades one through twelve in the high school district;
 - 3- c. Multiply the result determined under ~~subsection 2~~ subdivision b by the number of general fund mills levied by the district in excess of one hundred fifty, provided that any mills levied by the district which are in excess of two hundred ten may not be used in this calculation; and
 - 4- d. Multiply the result determined under ~~subsection 3~~ subdivision c by a factor calculated by the superintendent of public instruction to result in the expenditure, over the course of the biennium, of the full amount provided for the purpose of this section.
- e. The result is the supplemental payment to which a high school district is entitled, in addition to any other amount provided under chapter 15.1-27.

SECTION 15. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 16. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

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4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per-student state aid payments and transportation aid.~~

SECTION 17. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per-student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 18. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02 2003-04~~ school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002 2003.~~
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03 2003-04~~ school year, the reimbursement under this section for each individual employed as of September 15, ~~2002 2003~~, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices

board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.

- d. For the 2004-05 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 19. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

Approved joint powers agreement - Reimbursement by superintendent of public instruction.

1. The individual employed as a chief administrator for the purpose of carrying out the provisions of a joint powers agreement and any requirements under section 3 of this Act shall submit to the superintendent of public instruction, at the time and in the manner designated by the superintendent, receipts for expenses incurred during a school year in delivering services and programs under section 3 of this Act.
2. The superintendent of public instruction, upon verifying the receipts, shall reimburse the chief administrator of the joint powers agreement for any expenses incurred in delivering services and programs under the auspices of the joint powers agreement as provided in section 3 of this Act. The reimbursement may not exceed the lesser of:
- a. The total expenses incurred in delivering services and programs under section 3 of this Act; or
- b. Fifty thousand dollars.
3. The chief administrator shall deposit any moneys received under subsection 2 in the participating districts' joint operating fund.
4. The superintendent of public instruction may not provide any reimbursement to a chief administrator under this section unless the joint powers agreement under which the services and programs are delivered has been approved by the superintendent.

puts money here

SECTION 20. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount.

1. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a minimum salary level ~~of salary~~ for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars.

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10-16-03
Date

2. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a ~~base~~ minimum salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars.

SECTION 21. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3.
 - a. The superintendent of public instruction shall forward all ~~per-student and transportation~~ state aid payments for a student attending an out-of-state school to the student's school district of residence.
 - b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.

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Date

~~6. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~

4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 22. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.

SECTION 23. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

1.
 - a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
 - b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
 - c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation~~ state aid otherwise payable for the nonresident student.
2.
 - a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
 - b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
 - c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
 - d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.

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Yubereva J. Lee
Operator's Signature

10-16-03
Date

- e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 24. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3.
 - a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
 - b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student~~ and transportation state aid to schools:
 - (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.

Yherosa d. Lee
Operator's Signature

10-16-03
Date

4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.
5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation state aid~~ otherwise payable to the student's school district of residence until the tuition due has been fully paid.
6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student state aid payments and transportation aid to schools~~ in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation state aid to schools~~.
8.
 - a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
 - (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.
 - b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.

Yubereca J. Lee
Operator's Signature

10-16-03
Date

9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 25. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 26. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 27. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.
- c. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 28. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, and the admitting district is then entitled to state payments for the transportation of that student.

SECTION 29. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3.
 - a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
 - b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
 - c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 30. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 31. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 32. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods, including consideration of the amount of local contribution on a per resident basis. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 33. DATA ENVELOPMENT ANALYSIS - COMPLETION DATE - REPORT. The superintendent of public instruction shall complete the data envelopment analysis project, as set forth in Senate Bill No. 2032, as approved by the fifty-eighth legislative assembly, on or before September 1, 2004, and shall report any findings and conclusions to a committee designated by the legislative council, as soon after that date as practicable.

SECTION 34. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 35. SUPPLEMENTAL PAYMENTS - DISTRIBUTION. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, an amount for supplemental payments under section 15.1-27-11 equal to the amount that payments to school districts have been reduced as a result of the application of subdivision c of subsection 1 of section 15.1-27-05, as it is in effect after June 30, 2004.

SECTION 36. CONTINGENT PAYMENTS - DISTRIBUTION. If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 or for teacher compensation payments in the grants - teacher compensation payments line item in Senate Bill No. 2013 remain after payment of all statutory obligations for per student and transportation payments and for teacher compensation reimbursement payments, respectively, during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent of public instruction shall combine the remaining moneys and distribute the moneys as follows:

1. The superintendent of public instruction shall use the first \$1,000,000 for the purpose of providing reorganization bonuses, pursuant to section 15.1-12-11.1, to school districts having reorganizations effective after July 1, 2003, and before July 1, 2005.
2. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 37. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 38. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 39. EFFECTIVE DATE. Section 7 of this Act becomes effective on July 1, 2005."

Renumber accordingly

38241.0339
Title.

Prepared by the Legislative Council staff for
Representative R. Kelsch
April 17, 2003

Second Engrossment
PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 4, after "compensation" insert "; to provide for the continuation of efforts regarding teacher compensation"

Page 11, after line 8, insert:

"SECTION 9. TEACHER COMPENSATION - CONTINUATION OF EFFORT.
The board of a school district shall consider continuing the efforts made in the 2001-03 biennium to increase teacher salaries throughout the state."

Renumber accordingly

Page No. 1

38241.0339

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Yubereca d. Lee
Operator's Signature

10-16-03
Date

Date: 4/21/03
Roll Call Vote #: 5

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2154

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken moved amend. defining "elective"

Motion Made By Rep. Kelsch Seconded By Sen. Christensen

Senators	Yes	No	Representatives	Yes	No
Senator Freborg			Rep. R. Kelsch		
Senator Flakoll			Rep. D. Johnson		
Senator Christenson			Rep. Hanson		

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

elective means - a unit that counts toward graduation but is not required by the school district for graduation

withdrawn

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

38241.0350
Title.

Prepared by the Legislative Council staff for
Senator Freborg
April 21, 2003

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 4, after the semicolon insert "to require cost estimates;"

Page 10, after line 23, insert:

"SECTION 7. NO CHILD LEFT BEHIND - COST ESTIMATE. The superintendent of public instruction shall confer with the United States secretary of education, the education commission of the states, and other public and nonpublic entities to determine the estimated costs that are likely to be incurred by this state during the ensuing eight years in order to meet the requirements of the No Child Left Behind Act of 2001. The superintendent of public instruction shall provide the information obtained to an interim committee designated by the legislative council."

Renumber accordingly

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Yherosa J. Lee
Operator's Signature

10-16-03
Date

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 4, after "compensation" insert "; to provide for hold harmless payments"

Page 10, after line 23, insert:

**"SECTION 7. DISTRIBUTION OF DIFFERENCE IN PAYMENTS AMOUNTS -
HOLD HARMLESS PAYMENTS.**

1. If funds appropriated by the legislative assembly to the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, remain after completion of all statutory obligations, to the extent of legislative appropriations, the superintendent of public instruction shall:
 - a. Calculate the payment to which a school district is entitled during the 2003-05 biennium under this Act; and
 - b. Calculate the payment to which a school district would have been entitled during the 2003-05 biennium under this Act if the per student payments established in section 15.1-27-04 had included the total amount appropriated to the grants - teacher compensation payments line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, and further provided that no requirements for teacher compensation were placed on school districts by section 15.1-27-37.
2. If the amount to which a school district is entitled during the biennium under this Act is less than the amount to which a school district would have been entitled under the parameters of subdivision b of subsection 1, the superintendent of public instruction shall forward the difference between the amounts to the school district on or before June 30, 2005."

Renumber accordingly

38241.0351
Title

Prepared by the Legislative Council staff for
Senator Freborg

April 22, 2004

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact four new sections to chapter 15.1-07, a new section to chapter 15.1-12, and a new section to chapter 15.1-27 of the North Dakota Century Code, relating to school district plans, reorganizations, ending balances, and joint powers agreements; to amend and reenact subsection 5 of section 15.1-09-36, section 15.1-21-02, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, section 15.1-27-11, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, teacher compensation reimbursement, and high school units; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide for the distribution of transportation grants; to provide for a legislative council study; to provide for data envelopment analysis completion; to provide for No Child Left Behind Act of 2001 cost estimates; to provide for teacher compensation efforts; to provide for contingent payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing three-year and five-year periods, and specifically addressing potential effects on:
 - a. Academic and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

- X
1. Beginning July 2, 2003, a high school district may not become an elementary district.
 2. Subsection 1 does not apply to school districts participating in cooperative agreements approved by the superintendent of public instruction.

X

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Joint powers agreement - Approval by superintendent of public instruction - Criteria. If school districts participating in joint powers agreements under chapter 54-40.3 wish to receive reimbursement for expenses, as provided in section 18 of this Act, the school districts must request that the superintendent of public instruction approve their joint powers agreement. In order for the superintendent of public instruction to approve a joint powers agreement, the superintendent shall determine and annually verify that:

1. a. The participating school districts are contiguous; and
 - b. (1) The total land mass of the participating school districts exceeds four thousand square miles [1035995 hectares];
 - (2) The total land mass of the participating school districts exceeds two thousand five hundred square miles [647497 hectares] and the participating school districts number at least six; or
 - (3) The total land mass of the participating school districts exceeds two thousand five hundred square miles [1035995 hectares] and the total number of students in average daily membership in the participating school districts exceeds two thousand five hundred.
2. The joint powers agreement provides that a school district contiguous to any school district already participating in the joint powers agreement may become a participant in the agreement at any time.
3. The joint powers agreement requires that the participating school districts agree to maintain a joint operating fund, agree to share administrative functions, or agree to implement various common requirements; provided that:
 - a. If the participating school districts agree to establish a joint operating fund, the joint powers agreement must require that during the first school year following approval, the participating school districts shall establish a joint operating fund equal to at least two percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; during the second school year following approval, the participating school districts shall establish a joint operating fund equal to at least four percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; and during the fifth school year following approval, the participating school districts shall establish a joint operating fund equal to at least six percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval;
 - b. If the participating school districts agree to share administrative functions, the joint powers agreement must require that during the first

school year following approval, all of the participating districts shall share in the administration of at least three services; during the third school year following approval, all of the participating districts shall share in the administration of at least five services; and during the fifth school year following approval, all of the participating districts shall share in the administration of at least seven services; and that the list from which the participating districts must select the services to be shared consists of:

- (1) Federal title program management;
- (2) Staff development;
- (3) Special education delivery;
- (4) Curriculum development or delivery;
- (5) Career and technical education delivery;
- (6) Student instructional support;
- (7) Media and technology;
- (8) Business management;
- (9) Distance learning;
- (10) Student counseling;
- (11) Food and nutrition;
- (12) Facility safety and health;
- (13) School accreditation and improvement; and
- (14) Transportation; and

c. If the participating school districts agree to implement various common requirements, the joint powers agreement must require that during the first school year following approval, all of the participating districts shall implement at least three requirements; during the third school year following approval, all of the participating districts shall implement at least six requirements; and during the fifth school year following approval, all of the participating districts shall implement at least eight requirements; and that the list from which the participating districts must select the requirements to be implemented consists of:

- (1) A common school calendar;
- (2) A common class schedule;
- (3) A common intranet communication system;
- (4) A common class registration process for grades seven through twelve;
- (5) A common curriculum for each grade level from kindergarten through six;
- (6) A common student data system;

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- (7) A common school improvement and staff development process;
 - (8) Common services, as set forth in a five-year plan;
 - (9) A school facilities plan; and
 - (10) Joint funding of dual credit and advance placement courses.
4. The joint powers agreement provides for the employment and compensation of a chief administrator and other staff necessary to carry out the provisions of the agreement and the requirements of this section and section 15.1-27-37.

X **SECTION 4.** A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Ending fund balance - Amount.

- 1. The board of a school district may carryover moneys to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended.
- 2. For taxable years beginning after December 31, 2003, and ending on December 31, 2007, the amount carried over by a school district may not exceed fifty percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.
- 3. For taxable years beginning after December 31, 2007, the amount carried over by a school district may not exceed forty-five percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.

SECTION 5. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

- K
- 5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation state~~ aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 6. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

X **State board of public school education - Approval of elementary districts prohibited.** The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

X **SECTION 7. AMENDMENT.** Section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02. High schools - Required units.

- 1. In order to be approved by the superintendent of public instruction, each public and nonpublic high school shall make available to each student:
 - 4- a. Four units of English; language arts;
 - 2- b. ~~Three~~ Four units of mathematics;

3. c. Four units of science;
4. d. ~~Three~~ Four units of social studies, including one of world history and one of United States history, both of which must emphasize geography;
5. e. ~~One~~ One-half unit of health ~~and during each school year;~~
- f. One-half unit of physical education, during each school year;
6. g. ~~One unit of~~ Two units of fine arts, at least one of which must be music;
7. ~~Any six units selected from business education, economics and the free enterprise system, foreign language, American sign language, and vocational courses including family and consumer sciences, agriculture, business and office technology, marketing, diversified occupations, trade and industrial education, technology education, and health careers. The vocational courses may be offered through cooperative arrangements approved by the state board for vocational and technical education.~~
- h. Two units of the same foreign language; and *confusion*
- i. Two units of vocational education; and *do we need 23 plus 12*
- j. Twelve units of electives. *or 23 units. The 12*
2. Each unit which must be made available under subsection 1 must meet or exceed the state content standards.
3. For purposes of this section, unless the context otherwise requires:
- 1 unit* a. "Elective" means a unit not required by the school district for graduation.
- b. "Make available" means that: *over the course of a high school career*
- (1) Each public high school and nonpublic high school shall allow students to select units from a list that includes at least all the units provided in subsection 1;
- (2) If a student selects a unit from the list required by subsection 1, the public high school or the nonpublic high school shall provide the unit to the student; and
- (3) The unit may be provided to the student through any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.
4. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
5. If in order to meet the minimum requirements of this section a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall;

- a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and
 - b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family.
6. The requirements of this section do not apply to alternative high schools or alternative high school education programs.

SECTION 8. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

- X
- 6. If funds appropriated for distribution to districts as ~~per student and transportation~~ state aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 9. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

X

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two five~~ hundred eighty seven nine dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three six~~ hundred forty seven twenty-three dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 10. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

7 Date X

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

- 1. The product of ~~thirty-two~~ thirty-four mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district; and
- 2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

- 1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - a. The product of ~~thirty-two~~ thirty-six mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district;
 - b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars; and

- c. If the mills levied by the district for general fund purposes, plus the number of mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the number of mills by which the district's levies are below one hundred forty multiplied by the taxable valuation of property in the district.
- 2. Beginning July 1, 2006, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

(Effective after June 30, 2008) School district equalization factor.

- 1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - 1- a. The product of ~~thirty-two mills~~ the number of mills prescribed in subsection 2 times the ~~latest available net assessed and equalized taxable~~ valuation of property in the district;
 - 2- b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of ~~forty-four~~ forty-five percent of its actual expenditures, plus twenty thousand dollars; and
 - c. If the mills levied by the district for general fund purposes, plus the number of mills levied for high school transportation and high school tuition purposes is fewer than one hundred forty mills, the number of mills by which the district's levies are below one hundred forty multiplied by the taxable valuation of property in the district.
- 2. The number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

SECTION 11. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

- 1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.

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- d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
- a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

X **SECTION 12. AMENDMENT.** Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the

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superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five

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percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

X **SECTION 13. AMENDMENT.** Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state aid~~ state aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and

talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 14. AMENDMENT. Section 15.1-27-11 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-11. High school districts - Supplemental payments.

1. The superintendent of public instruction shall calculate the average valuation of property per student by dividing the number of students in average daily membership in grades one through twelve in a high school district into the sum of:
 - a. The district's latest available net assessed and equalized taxable valuation of property; plus
 - b. All tuition payments and county and unrestricted federal revenue received by the district, divided by the total of the district's general fund levy, high school transportation levy, and high school tuition levy.
2. If the quotient is less than the latest available statewide average taxable valuation per student and if the district's educational expenditure per student is below the most recent available statewide average cost of education per student, the superintendent of public instruction shall:
 - ~~1.~~ a. Determine the difference between the latest available statewide average taxable valuation per student and the average taxable valuation per student in the high school district;
 - ~~2.~~ b. Multiply the result determined under ~~subsection 1~~ subdivision a by the number of students in average daily membership in grades one through twelve in the high school district;
 - ~~3.~~ c. Multiply the result determined under ~~subsection 2~~ subdivision b by the number of general fund mills levied by the district in excess of one hundred fifty, provided that any mills levied by the district which are in excess of two hundred ten may not be used in this calculation; and
 - ~~4.~~ d. Multiply the result determined under ~~subsection 3~~ subdivision c by a factor calculated by the superintendent of public instruction to result in the expenditure, over the course of the biennium, of the full amount provided for the purpose of this section.
 - e. The result is the supplemental payment to which a high school district is entitled, in addition to any other amount provided under chapter 15.1-27.

SECTION 15. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation~~ state aid payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection

may be used to support remedial summer school programs at the elementary level.

SECTION 16. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

- X 4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid.~~ state aid payments.

SECTION 17. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

- X **15.1-27-34. Transfer of funds prohibited - Youth correctional center.** The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 18. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

X **15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.**

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002~~ 2003.
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.

- c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
- d. For the 2004-05 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
- 4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
- 5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 19. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

Approved joint powers agreement - Reimbursement by superintendent of public instruction.

- 1. The individual employed as a chief administrator for the purpose of carrying out the provisions of a joint powers agreement and any requirements under section 3 of this Act shall submit to the superintendent of public instruction, at the time and in the manner designated by the superintendent, receipts for expenses incurred during a school year in delivering services and programs under section 3 of this Act.
- 2. The superintendent of public instruction, upon verifying the receipts, shall reimburse the chief administrator of the joint powers agreement for any expenses incurred in delivering services and programs under the auspices of the joint powers agreement as provided in section 3 of this Act. The reimbursement may not exceed the lesser of:
 - a. The total expenses incurred in delivering services and programs under section 3 of this Act; or
 - b. Fifty thousand dollars.
- 3. The chief administrator shall deposit any moneys received under subsection 2 in the participating districts' joint operating fund.
- 4. The superintendent of public instruction may not provide any reimbursement to a chief administrator under this section unless the joint powers agreement under which the services and programs are delivered has been approved by the superintendent.

SECTION 20. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount.

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1. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a minimum salary level ~~of salary~~ for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars.
2. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a ~~base~~ minimum salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars.

SECTION 21. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3. a. The superintendent of public instruction shall forward all ~~per student and transportation~~ state aid payments for a student attending an out-of-state school to the student's school district of residence.

b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.

e. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~

4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 22. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

X 4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.

SECTION 23. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

- X
1. a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
 - b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
 - c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation~~ state aid otherwise payable for the nonresident student.
 2. a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
 - b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
 - c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.

- d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.
 - e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 24. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

- 1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
- 2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
- 3.
 - a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
 - b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student~~ and transportation state aid to schools:

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Date

- (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.
4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.
 5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation~~ state aid otherwise payable to the student's school district of residence until the tuition due has been fully paid.
 6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student state aid payments and transportation aid to schools~~ in all other cases.
 7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation state aid to schools~~.
 8. a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
 - (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.

- b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 25. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

- X
- 1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 26. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

X

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 27. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

- X
- 2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
 - b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.

- e. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established school bus routes necessitated by a contract pursuant to this subsection.~~

SECTION 28. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

X **15.1-31-05. Open enrollment - Transportation.** A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 29. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

X **15.1-31-06. Open enrollment - School boards - Standards.**

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3. a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

X **SECTION 30. AMENDMENT.** Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the

services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 31. TRANSPORTATION GRANTS - DISTRIBUTION.

- X
1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
 2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
 3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
 4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

X

SECTION 32. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods, including consideration of the amount of local contribution on a per resident basis. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

X

SECTION 33. NO CHILD LEFT BEHIND - COST ESTIMATE. The superintendent of public instruction shall confer with the United States secretary of education, the education commission of the states, and other public and nonpublic entities to determine the estimated costs that are likely to be incurred by this state during the ensuing eight years in order to meet the requirements of the No Child Left Behind Act of 2001. The superintendent of public instruction shall provide the information obtained to an interim committee designated by the legislative council.

X

SECTION 34. DATA ENVELOPMENT ANALYSIS - COMPLETION DATE - REPORT. The superintendent of public instruction shall complete the data envelopment analysis project, as set forth in Senate Bill No. 2032, as approved by the fifty-eighth legislative assembly, on or before September 1, 2004, and shall report any

findings and conclusions to a committee designated by the legislative council, as soon after that date as practicable.

X
SECTION 35. SUPPLEMENTAL PAYMENTS - DISTRIBUTION. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, an amount for supplemental payments under section 15.1-27-11 equal to the amount that payments to school districts have been reduced as a result of the application of subdivision c of subsection 1 of section 15.1-27-05, as it is in effect after June 30, 2004.

X
SECTION 36. DISTRIBUTION OF DIFFERENCE IN PAYMENTS - HOLD HARMLESS PAYMENTS.

1. If funds appropriated by the legislative assembly to the grants - teacher compensation line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, remain after completion of all statutory obligations, to the extent of legislative appropriations, the superintendent of public instruction shall:
 - a. Calculate the payment to which a school district is entitled during the 2003-05 biennium under this Act; and
 - b. Calculate the payment to which a school district would have been entitled during the 2003-05 biennium under this Act if the per student payments established in section 15.1-27-04 had included the total amount appropriated to the grants - teacher compensation payments line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, and further provided that no requirements for teacher compensation were placed on school districts by section 15.1-27-37.
2. If the amount to which a school district is entitled during the biennium under this Act is less than the amount to which a school district would have been entitled under the parameters of subdivision b of subsection 1, the superintendent of public instruction shall forward the difference between the amounts to the school district on or before June 30, 2005.
3. If any moneys remain after the superintendent of public instruction completes the requirements of subsections 1 and 2, the superintendent shall use the remaining moneys to provide additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

on a
prorated
basis →

X
SECTION 37. CONTINGENT PAYMENTS - DISTRIBUTION. If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent of public instruction shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$1,000,000 or so much of that amount as is necessary for the purpose of providing reorganization bonuses, pursuant to section 15.1-12-11.1, to school districts having reorganizations effective after July 1, 2003, and before July 1, 2005.
2. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

X

SECTION 38. TEACHER COMPENSATION - CONTINUATION OF EFFORT. The board of a school district shall consider continuing the efforts made in the 2001-03 biennium to increase teacher salaries throughout the state.

X

SECTION 39. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

X

SECTION 40. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

X

SECTION 41. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

X

SECTION 42. EFFECTIVE DATE. Section 7 of this Act becomes effective on July 1, 2005."

Renumber accordingly

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Prepared by the Legislative Council staff for
Senator Freborg
April 22, 2003

FJS
4-22-03
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PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2154

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact four new sections to chapter 15.1-07, a new section to chapter 15.1-12, and a new section to chapter 15.1-27 of the North Dakota Century Code, relating to school district plans, reorganizations, ending balances, and joint powers agreements; to amend and reenact subsection 5 of section 15.1-09-36, section 15.1-21-02, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, section 15.1-27-11, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, teacher compensation reimbursement, and high school units; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide for the distribution of transportation grants; to provide for a legislative council study; to provide for data envelopment analysis completion; to provide for No Child Left Behind Act of 2001 cost estimates; to provide for teacher compensation efforts; to provide for contingent payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing three-year and five-year periods, and specifically addressing potential effects on:
 - a. Academic and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

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High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.
2. Subsection 1 does not apply to school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Joint powers agreement - Approval by superintendent of public instruction - Criteria. If school districts participating in joint powers agreements under chapter 54-40.3 wish to receive reimbursement for expenses, as provided in section 18 of this Act, the school districts must request that the superintendent of public instruction approve their joint powers agreement. In order for the superintendent of public instruction to approve a joint powers agreement, the superintendent shall determine and annually verify that:

1. a. The participating school districts are contiguous; and
 - b. (1) The total land mass of the participating school districts exceeds four thousand square miles [1035995 hectares];
 - (2) The total land mass of the participating school districts exceeds two thousand five hundred square miles [647497 hectares] and the participating school districts number at least six; or
 - (3) The total land mass of the participating school districts exceeds two thousand five hundred square miles [1035995 hectares] and the total number of students in average daily membership in the participating school districts exceeds two thousand five hundred.
2. The joint powers agreement provides that a school district contiguous to any school district already participating in the joint powers agreement may become a participant in the agreement at any time.
3. The joint powers agreement requires that the participating school districts agree to maintain a joint operating fund, agree to share administrative functions, or agree to implement various common requirements; provided that:
 - a. If the participating school districts agree to establish a joint operating fund, the joint powers agreement must require that during the first school year following approval, the participating school districts shall establish a joint operating fund equal to at least two percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; during the second school year following approval, the participating school districts shall establish a joint operating fund equal to at least four percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; and during the fifth school year following approval, the participating school districts shall establish a joint operating fund equal to at least six percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval;
 - b. If the participating school districts agree to share administrative functions, the joint powers agreement must require that during the first

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school year following approval, all of the participating districts shall share in the administration of at least three services; during the third school year following approval, all of the participating districts shall share in the administration of at least five services; and during the fifth school year following approval, all of the participating districts shall share in the administration of at least seven services; and that the list from which the participating districts must select the services to be shared consists of:

- (1) Federal title program management;
- (2) Staff development;
- (3) Special education delivery;
- (4) Curriculum development or delivery;
- (5) Career and technical education delivery;
- (6) Student instructional support;
- (7) Media and technology;
- (8) Business management;
- (9) Distance learning;
- (10) Student counseling;
- (11) Food and nutrition;
- (12) Facility safety and health;
- (13) School accreditation and improvement; and
- (14) Transportation; and

c. If the participating school districts agree to implement various common requirements, the joint powers agreement must require that during the first school year following approval, all of the participating districts shall implement at least three requirements; during the third school year following approval, all of the participating districts shall implement at least six requirements; and during the fifth school year following approval, all of the participating districts shall implement at least eight requirements; and that the list from which the participating districts must select the requirements to be implemented consists of:

- (1) A common school calendar;
- (2) A common class schedule;
- (3) A common intranet communication system;
- (4) A common class registration process for grades seven through twelve;
- (5) A common curriculum for each grade level from kindergarten through six;
- (6) A common student data system;

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- (7) A common school improvement and staff development process;
 - (8) Common services, as set forth in a five-year plan;
 - (9) A school facilities plan; and
 - (10) Joint funding of dual credit and advance placement courses.
4. The joint powers agreement provides for the employment and compensation of a chief administrator and other staff necessary to carry out the provisions of the agreement and the requirements of this section and section 15.1-27-37.

SECTION 4. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Ending fund balance - Amount.

- 1. The board of a school district may carryover moneys to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended.
- 2. For taxable years beginning after December 31, 2003, and ending on December 31, 2007, the amount carried over by a school district may not exceed fifty percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.
- 3. For taxable years beginning after December 31, 2007, the amount carried over by a school district may not exceed forty-five percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.

SECTION 5. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

- 5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation state~~ aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 6. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 7. AMENDMENT. Section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02. High schools - Required units.

- 1. In order to be approved by the superintendent of public instruction, each public and nonpublic high school shall make available to each student:
 - ~~1-~~ a. Four units of English; language arts;
 - ~~2-~~ b. ~~Three~~ Four units of mathematics;

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- ~~3.~~ a. Four units of science;
- ~~4.~~ d. ~~Three~~ Four units of social studies, including one of world history and one of United States history, both of which must emphasize geography;
- ~~5.~~ e. ~~One~~ One-half unit of health ~~and during each school year;~~
- f. One-half unit of physical education, during each school year;
- ~~6.~~ g. ~~One unit of~~ Two units of fine arts, at least one of which must be music;
- ~~7.~~ Any six units selected from business education, economics and the free enterprise system, foreign language, American sign language, and vocational courses including family and consumer sciences, agriculture, business and office technology, marketing, diversified occupations, trade and industrial education, technology education, and health careers. The vocational courses may be offered through cooperative arrangements approved by the state board for vocational and technical education.
 - h. Two units of the same foreign language; and
 - i. Two units of vocational education.
- 2. Each unit which must be made available under subsection 1 must meet or exceed the state content standards.
- 3. For purposes of this section, unless the context otherwise requires, "make available" means that:
 - a. Each public high school and nonpublic high school shall allow students to select units over the course of a high school career from a list that includes at least all the units provided in subsection 1;
 - b. If a student selects a unit from the list required by subsection 1, the public high school or the nonpublic high school shall provide the unit to the student; and
 - c. The unit may be provided to the student through any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.
- 4. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
- 5. If in order to meet the minimum requirements of this section a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall:
 - a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and
 - b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family.

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6. The requirements of this section do not apply to alternative high schools or alternative high school education programs.

SECTION 8. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation state aid~~ become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 9. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two five~~ hundred ~~eighty seven nine~~ nine dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three six~~ hundred ~~forty seven~~ twenty-three dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 10. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid~~, and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty two~~ thirty-four mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district; and
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid~~, and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1.~~ a. The product of ~~thirty two~~ thirty-six mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district;
 - ~~2.~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars; and
 - c. If the mills levied by the district for general fund purposes, plus the mills levied for high school transportation and high school tuition purposes are fewer than one hundred forty, the number of mills by which the district's levies are below one hundred forty multiplied by the taxable valuation of property in the district.
2. Beginning July 1, 2006, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product

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required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

(Effective after June 30, 2008) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1-~~ a. The product of ~~thirty-two mills~~ the number of mills prescribed in subsection 2 times the ~~latest available not assessed and equalized taxable~~ valuation of property in the district;
 - ~~2-~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of ~~forty-five~~ forty-five percent of its actual expenditures, plus twenty thousand dollars; and
 - c. If the mills levied by the district for general fund purposes, plus the mills levied for high school transportation and high school tuition purposes are fewer than one hundred forty, the number of mills by which the district's levies are below one hundred forty multiplied by the taxable valuation of property in the district.
2. The number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

SECTION 11. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student

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payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;

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- b. Must not have completed the work of the twelfth grade; and
- c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 12. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.
 - b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.

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3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .95 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.

6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

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- 7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
- b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment under this section if it operates a kindergarten program of shorter duration.
- 8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
- 9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
- 10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 13. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

- 1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation~~ state aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 14. AMENDMENT. Section 15.1-27-11 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-11. High school districts - Supplemental payments.

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1. The superintendent of public instruction shall calculate the average valuation of property per student by dividing the number of students in average daily membership in grades one through twelve in a high school district into the sum of:
 - a. The district's latest available net assessed and equalized taxable valuation of property; plus
 - b. All tuition payments and county and unrestricted federal revenue received by the district, divided by the total of the district's general fund levy, high school transportation levy, and high school tuition levy.
2. If the quotient is less than the latest available statewide average taxable valuation per student and if the district's educational expenditure per student is below the most recent available statewide average cost of education per student, the superintendent of public instruction shall:
 1. a. Determine the difference between the latest available statewide average taxable valuation per student and the average taxable valuation per student in the high school district;
 2. b. Multiply the result determined under ~~subsection 1~~ subdivision a by the number of students in average daily membership in grades one through twelve in the high school district;
 3. c. Multiply the result determined under ~~subsection 2~~ subdivision b by the number of general fund mills levied by the district in excess of one hundred fifty, provided that any mills levied by the district which are in excess of two hundred ten may not be used in this calculation; and
 4. d. Multiply the result determined under ~~subsection 3~~ by thirty percent subdivision c by a factor calculated by the superintendent of public instruction to result in the expenditure, over the course of the biennium, of the full amount provided for the purpose of this section.
 - e. The result is the supplemental payment to which a high school district is entitled, in addition to any other amount provided under chapter 15.1-27.

SECTION 15. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 16. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid payments and transportation aid.~~

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SECTION 17. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per student state aid payments and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 18. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to ~~increase the~~ at least maintain the level of compensation of provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in any compensation increases~~ provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision c, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002.~~ 2003.
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
 - d. For the 2004-05 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time

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equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.

- 4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.
- 5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 19. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

Approved joint powers agreement - Reimbursement by superintendent of public instruction.

- 1. The individual employed as a chief administrator for the purpose of carrying out the provisions of a joint powers agreement and any requirements under section 3 of this Act shall submit to the superintendent of public instruction, at the time and in the manner designated by the superintendent, receipts for expenses incurred during a school year in delivering services and programs under section 3 of this Act.
- 2. The superintendent of public instruction, upon verifying the receipts, shall reimburse the chief administrator of the joint powers agreement for any expenses incurred in delivering services and programs under the auspices of the joint powers agreement as provided in section 3 of this Act. The reimbursement may not exceed the lesser of:
 - a. The total expenses incurred in delivering services and programs under section 3 of this Act; or
 - b. Fifty thousand dollars.
- 3. The chief administrator shall deposit any moneys received under subsection 2 in the participating districts' joint operating fund.
- 4. The superintendent of public instruction may not provide any reimbursement to a chief administrator under this section unless the joint powers agreement under which the services and programs are delivered has been approved by the superintendent.

SECTION 20. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount.

- 1. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a minimum salary level of salary for the contract period equal to at least ~~eighteen~~ twenty-one thousand five hundred dollars.
- 2. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, a ~~base~~ minimum salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars.

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SECTION 21. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.

2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.

3.
 - a. The superintendent of public instruction shall forward all ~~per student and transportation state~~ aid payments for a student attending an out-of-state school to the student's school district of residence.
 - b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.
 - c. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~

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- 4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 22. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

- 4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district ~~and the admitting district is then entitled to state payments for the transportation of the student.~~

SECTION 23. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

- 1.
 - a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
 - b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
 - c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation state aid~~ otherwise payable for the nonresident student.
- 2.
 - a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
 - b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
 - c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
 - d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.
 - e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.

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3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 24. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3.
 - a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
 - b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per-student and transportation~~ state aid to schools:
 - (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or
 - (2) If a court orders a termination of parental rights with respect to the student's parents.
4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination

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under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.

5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation~~ state aid otherwise payable to the student's school district of residence until the tuition due has been fully paid.
6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student~~ state aid payments and transportation aid to schools in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools.
8.
 - a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
 - (1) Within five working days after a placement is made under court order;
 - (2) Within five working days after an emergency placement is made; or
 - (3) At least ten working days prior to any other placement.
 - b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by

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either the student's school district of residence or the superintendent of public instruction.

- 10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 25. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

- 1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 26. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 27. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

- 2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on school vehicles, and on schoolbus drivers when students are being transported.
- e. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 28. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

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15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 29. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3.
 - a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
 - b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
 - c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 30. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 31. TRANSPORTATION GRANTS - DISTRIBUTION.

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1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 32. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods, including consideration of the amount of local contribution on a per resident basis. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 33. NO CHILD LEFT BEHIND - COST ESTIMATE. The superintendent of public instruction shall confer with the United States secretary of education, the education commission of the states, and other public and nonpublic entities to determine the estimated costs that are likely to be incurred by this state during the ensuing eight years in order to meet the requirements of the No Child Left Behind Act of 2001. The superintendent of public instruction shall provide the information obtained to an interim committee designated by the legislative council.

SECTION 34. DATA ENVELOPMENT ANALYSIS - COMPLETION DATE - REPORT. The superintendent of public instruction shall complete the data envelopment analysis project, as set forth in Senate Bill No. 2032, as approved by the fifty-eighth legislative assembly, on or before September 1, 2004, and shall report any findings and conclusions to a committee designated by the legislative council, as soon after that date as practicable.

SECTION 35. SUPPLEMENTAL PAYMENTS - DISTRIBUTION. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, an amount for supplemental payments under section 15.1-27-11 equal to the amount that payments to school districts have been reduced as a result of the application of subdivision c of subsection 1 of section 15.1-27-05, as it is in effect after June 30, 2004.

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SECTION 36. DISTRIBUTION OF DIFFERENCE IN PAYMENTS - HOLD HARMLESS PAYMENTS.

1. If funds appropriated by the legislative assembly to the grants - teacher compensation line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, remain after completion of all statutory obligations, to the extent of legislative appropriations, the superintendent of public instruction shall:
 - a. Calculate the payment to which a school district is entitled during the 2003-05 biennium under this Act; and
 - b. Calculate the payment to which a school district would have been entitled during the 2003-05 biennium under this Act if the per student payments established in section 15.1-27-04 had included the total amount appropriated to the grants - teacher compensation payments line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, and further provided that no requirements for teacher compensation were placed on school districts by section 15.1-27-37.
2. If the amount to which a school district is entitled during the biennium under this Act is less than the amount to which a school district would have been entitled under the parameters of subdivision b of subsection 1, the superintendent of public instruction shall forward the difference between the amounts to the school district on or before June 30, 2005. If insufficient moneys exist to fully meet the requirements of this subsection, the superintendent of public instruction shall prorate the payments according to that percentage of the amount available to which a school district is entitled.
3. If any moneys remain after the superintendent of public instruction completes the requirements of subsections 1 and 2, the superintendent of public instruction shall use the remaining moneys to provide additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 37. CONTINGENT PAYMENTS - DISTRIBUTION. If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent of public instruction shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$250,000, or so much of that amount as is necessary, for the purpose of providing reimbursements to the chief administrators of joint powers agreements pursuant to section 19 of this Act.
2. The superintendent of public instruction shall use the next \$1,000,000, or so much of that amount as is necessary, for the purpose of providing reorganization bonuses, pursuant to section 15.1-12-11.1, to school districts having reorganizations effective after July 1, 2003, and before July 1, 2005. If insufficient moneys exist to fully meet the requirements of this subsection, the superintendent of public instruction shall prorate the payments according to that percentage of the amount available to which a school district is entitled.
3. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis,

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according to the average daily membership of each school district during the 2004-05 school year.

SECTION 38. TEACHER COMPENSATION - CONTINUATION OF EFFORT.

The board of a school district shall consider continuing the efforts made in the 2001-03 biennium to increase teacher salaries throughout the state.

SECTION 39. APPROPRIATION - REORGANIZATION BONUSES.

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 40. APPROPRIATION.

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 41. REPEAL.

Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 42. EFFECTIVE DATE.

Section 7 of this Act becomes effective on July 1, 2005."

Renumber accordingly

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REPORT OF CONFERENCE COMMITTEE

SB 2154, as reengrossed: Your conference committee (Sens. Freborg, Flakoll, Christenson and Reps. R. Kelsch, D. Johnson, Hanson) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1210-1224, adopt amendments as follows, and place SB 2154 on the Seventh order:

That the House recede from its amendments as printed on pages 1210-1224 of the Senate Journal and pages 1369-1383 of the House Journal and that Reengrossed Senate Bill No. 2154 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact four new sections to chapter 15.1-07, a new section to chapter 15.1-12, and a new section to chapter 15.1-27 of the North Dakota Century Code, relating to school district plans, reorganizations, ending balances, and joint powers agreements; to amend and reenact subsection 5 of section 15.1-09-36, section 15.1-21-02, subsection 6 of section 15.1-27-01, sections 15.1-27-04, 15.1-27-05, 15.1-27-06, and 15.1-27-07, subsection 1 of section 15.1-27-10, section 15.1-27-11, subsection 4 of section 15.1-27-19, subsection 4 of section 15.1-27-21, sections 15.1-27-34, 15.1-27-37, 15.1-27-39, and 15.1-29-01, subsection 4 of section 15.1-29-06, sections 15.1-29-13 and 15.1-29-14, subsection 1 of section 15.1-30-01, section 15.1-30-05, subsection 2 of section 15.1-30-15, and sections 15.1-31-05, 15.1-31-06, and 15.1-32-16 of the North Dakota Century Code, relating to per student payments, weighting factors, transportation aid, teacher compensation, teacher compensation reimbursement, and high school units; to repeal sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code, relating to state transportation aid payments; to provide for the distribution of transportation grants; to provide for a legislative council study; to provide for data envelopment analysis completion; to provide for No Child Left Behind Act of 2001 cost estimates; to provide for teacher compensation efforts; to provide for contingent payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district demographics - Long-term planning process.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a planning process addressing the effects that demographics might have on the district in the ensuing three-year and five-year periods, and specifically addressing potential effects on:
 - a. Academic and extracurricular programs;
 - b. Instructional and administrative staffing;
 - c. Facility needs and utilization; and
 - d. District tax levies.
2. At the conclusion of the planning process, the board shall prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

High school district - Change to elementary district - Prohibited.

1. Beginning July 2, 2003, a high school district may not become an elementary district.
2. Subsection 1 does not apply to school districts participating in cooperative agreements approved by the superintendent of public instruction.

SECTION 3. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Joint powers agreement - Approval by superintendent of public instruction - Criteria. If school districts participating in joint powers agreements under chapter 54-40.3 wish to receive reimbursement for expenses, as provided in section 18 of this Act, the school districts must request that the superintendent of public instruction approve their joint powers agreement. In order for the superintendent of public instruction to approve a joint powers agreement, the superintendent shall determine and annually verify that:

1. a. The participating school districts are contiguous; and
 - b. (1) The total land mass of the participating school districts exceeds four thousand square miles (1035995 hectares);
 - (2) The total land mass of the participating school districts exceeds two thousand five hundred square miles (647497 hectares) and the participating school districts number at least six; or
 - (3) The total land mass of the participating school districts exceeds two thousand five hundred square miles (1035995 hectares) and the total number of students in average daily membership in the participating school districts exceeds two thousand five hundred.
2. The joint powers agreement provides that a school district contiguous to any school district already participating in the joint powers agreement may become a participant in the agreement at any time.
3. The joint powers agreement requires that the participating school districts agree to maintain a joint operating fund, agree to share administrative functions, or agree to implement various common requirements; provided that:
 - a. If the participating school districts agree to establish a joint operating fund, the joint powers agreement must require that during the first school year following approval, the participating school districts shall establish a joint operating fund equal to at least two percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; during the second school year following approval, the participating school districts shall establish a joint operating fund equal to at least four percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval; and during the fifth school year following approval, the participating school districts shall

establish a joint operating fund equal to at least six percent of the participating districts' total expenditures for the school year ending on the June thirtieth preceding the date of approval;

- b. If the participating school districts agree to share administrative functions, the joint powers agreement must require that during the first school year following approval, all of the participating districts shall share in the administration of at least three services; during the third school year following approval, all of the participating districts shall share in the administration of at least five services; and during the fifth school year following approval, all of the participating districts shall share in the administration of at least seven services; and that the list from which the participating districts must select the services to be shared consists of:

- (1) Federal title program management;
- (2) Staff development;
- (3) Special education delivery;
- (4) Curriculum development or delivery;
- (5) Career and technical education delivery;
- (6) Student instructional support;
- (7) Media and technology;
- (8) Business management;
- (9) Distance learning;
- (10) Student counseling;
- (11) Food and nutrition;
- (12) Facility safety and health;
- (13) School accreditation and improvement; and
- (14) Transportation; and

- c. If the participating school districts agree to implement various common requirements, the joint powers agreement must require that during the first school year following approval, all of the participating districts shall implement at least three requirements; during the third school year following approval, all of the participating districts shall implement at least six requirements; and during the fifth school year following approval, all of the participating districts shall implement at least eight requirements; and that the list from which the participating districts must select the requirements to be implemented consists of:

- (1) A common school calendar;
- (2) A common class schedule;

- (3) A common intranet communication system;
- (4) A common class registration process for grades seven through twelve;
- (5) A common curriculum for each grade level from kindergarten through six;
- (6) A common student data system;
- (7) A common school improvement and staff development process;
- (8) Common services, as set forth in a five-year plan;
- (9) A school facilities plan; and
- (10) Joint funding of dual credit and advance placement courses.

4. The joint powers agreement provides for the employment and compensation of a chief administrator and other staff necessary to carry out the provisions of the agreement and the requirements of this section and section 15.1-27-37.

SECTION 4. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Ending fund balance - Amount.

1. The board of a school district may carryover moneys to the ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the school district may be legally extended.
2. For taxable years beginning after December 31, 2003, and ending on December 31, 2007, the amount carried over by a school district may not exceed fifty percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.
3. For taxable years beginning after December 31, 2007, the amount carried over by a school district may not exceed forty-five percent of the current annual budget for all purposes other than debt retirement and amounts financed from bond sources plus twenty thousand dollars.

SECTION 5. AMENDMENT. Subsection 5 of section 15.1-09-36 of the North Dakota Century Code is amended and reenacted as follows:

5. If a board charges fees not authorized by law and refuses to discontinue the charges when directed to do so by the superintendent of public instruction, the superintendent shall withhold the ~~per student and transportation state~~ aid payments to which the district is entitled for each student charged an unauthorized fee.

SECTION 6. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

State board of public school education - Approval of elementary districts prohibited. The state board of public school education may not approve any reorganization plan that would result in the creation of an elementary district.

SECTION 7. AMENDMENT. Section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02. High schools - Required units.

1. In order to be approved by the superintendent of public instruction, each public and nonpublic high school shall make available to each student:
 1. a. Four units of English-language arts;
 2. b. ~~Three~~ Four units of mathematics;
 3. c. Four units of science;
 4. d. ~~Three~~ Four units of social studies, including one of world history and one of United States history, ~~both of which must emphasize geography;~~
 5. e. ~~One~~ One-half unit of health ~~and during each school year;~~
 - f. One-half unit of physical education; during each school year;
 6. g. ~~One unit of~~ Two units of fine arts, at least one of which must be music;
 7. ~~Any six units selected from business education, economics and the free enterprise system, foreign language, American sign language, and vocational courses including family and consumer sciences, agriculture, business and office technology, marketing, diversified occupations, trade and industrial education, technology education, and health careers. The vocational courses may be offered through cooperative arrangements approved by the state board for vocational and technical education.~~
 - h. Two units of the same foreign language; and
 - i. Two units of vocational education.
2. Each unit which must be made available under subsection 1 must meet or exceed the state content standards.
3. For purposes of this section, unless the context otherwise requires, "make available" means that:
 - a. Each public high school and nonpublic high school shall allow students to select units over the course of a high school career from a list that includes at least all the units provided in subsection 1;
 - b. If a student selects a unit from the list required by subsection 1, the public high school or the nonpublic high school shall provide the unit to the student; and
 - c. The unit may be provided to the student through any delivery method not contrary to state law and may include classroom or individual

Instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.

4. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
5. If in order to meet the minimum requirements of this section a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall:
 - a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and
 - b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family.
6. The requirements of this section do not apply to alternative high schools or alternative high school education programs.

SECTION 8. AMENDMENT. Subsection 6 of section 15.1-27-01 of the North Dakota Century Code is amended and reenacted as follows:

6. If funds appropriated for distribution to districts as ~~per student and transportation~~ state aid become available after April first, the superintendent of public instruction shall distribute the newly available payments on or before June thirtieth.

SECTION 9. AMENDMENT. Section 15.1-27-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04. Per student payment. The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~two five~~ eighty seven nine dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand ~~three six~~ forty seven twenty-three dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

SECTION 10. AMENDMENT. Section 15.1-27-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-05. (Effective through June 30, 2004) School district equalization factor. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:

1. The product of ~~thirty-two~~ thirty-four mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district; and
2. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of seventy-five percent of its actual expenditures plus twenty thousand dollars.

(Effective after June 30, 2004) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1-~~ a. The product of ~~thirty-two~~thirty-six mills times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district;
 - ~~2-~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of fifty percent of its actual expenditures, plus twenty thousand dollars; and
 - c. If the mills levied by the district for general fund purposes, plus the mills levied for high school transportation and high school tuition purposes are fewer than one hundred forty, the number of mills by which the district's levies are below one hundred forty multiplied by the taxable valuation of property in the district.
2. Beginning July 1, 2006, and each year thereafter, the number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

(Effective after June 30, 2008) School district equalization factor.

1. To determine the amount of payments due a school district, the superintendent of public instruction shall add the tuition apportionment payments, per student payments, special education aid, ~~transportation aid,~~ and teacher compensation payments for which a school district is eligible and from that total subtract the following:
 - ~~1-~~ a. The product of ~~thirty-two~~ the number of mills prescribed in subsection 2 times the ~~latest available net assessed and equalized~~ taxable valuation of property in the district;
 - ~~2-~~ b. The amount by which the unobligated general fund balance of the district on the preceding June thirtieth is in excess of ~~thirty~~ forty-five percent of its actual expenditures, plus twenty thousand dollars; and
 - c. If the mills levied by the district for general fund purposes, plus the mills levied for high school transportation and high school tuition purposes are fewer than one hundred forty, the number of mills by which the district's levies are below one hundred forty multiplied by the taxable valuation of property in the district.
2. The number of mills used by the superintendent of public instruction in determining the product required by subdivision a of subsection 1 must be increased by two over the number of mills used in determining the product required by that subdivision the previous year.

SECTION 11. AMENDMENT. Section 15.1-27-06 of the North Dakota Century Code is amended and reenacted as follows:

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Date

15.1-27-06. Per student payments - Weighting factors - High school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. Each district having under seventy-five students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.625 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
2. Each district having at least seventy-five but fewer than one hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.335 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
3. Each district having at least one hundred fifty but fewer than five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.24 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
4. Each district having at least five hundred fifty students in average daily membership in grades nine through twelve is entitled to receive the amount of money that results from multiplying the factor 1.14 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in grades nine through twelve who are registered in that district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.

5. Each district having an approved alternative high school education program is entitled to receive the amount of money that results from multiplying the factor in:
 - a. Subsection 1 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if fewer than seventy-five students in average daily membership are enrolled in the alternative education program.
 - b. Subsection 2 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least seventy-five but fewer than one hundred fifty students in average daily membership are enrolled in the alternative education program.
 - c. Subsection 3 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least one hundred fifty but fewer than five hundred fifty students in average daily membership are enrolled in the alternative education program.
 - d. Subsection 4 by the number of students registered in the alternative education program, times the per student payment provided for in section 15.1-27-04, if at least five hundred fifty students in average daily membership are enrolled in the alternative education program.
6. In order to be eligible for enumeration under this section, a student:
 - a. Must have completed the work of the eighth grade;
 - b. Must not have completed the work of the twelfth grade; and
 - c. Must be a resident of this state or a nonresident attending a school in this state under the auspices of a foreign student exchange program.

SECTION 12. AMENDMENT. Section 15.1-27-07 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-07. Per student payments - Weighting factors - Elementary school students. The superintendent of public instruction shall make payments each year, as provided for in this section, to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, subject to adjustment as provided in section 15.1-27-21.

1. a. Each district having only a one-room rural school is entitled to receive the amount of money that results from multiplying the factor 1.28 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through eight in that school, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment level provided for in this subdivision is applicable only to the first sixteen students.

- b. If the one-room rural school has more than sixteen students in average daily membership in grades one through eight, the district in which the school is located is entitled to receive ninety percent of the per student payment provided for in section 15.1-27-04 for each additional student. The district is not entitled to any payment for more than twenty students in average daily membership.
 - c. If a one-room rural school is located in a district having another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six, as provided in this section.
 - d. If a one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5.
2. Except as provided in subsection 1, each school district having fewer than one hundred students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor 1.09 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
 3. Each school district having at least one hundred students but fewer than one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor .905 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.
 4. Each school district having at least one thousand students in average daily membership in grades one through six is entitled to receive the amount of money that results from multiplying the factor ~~seventy-five~~ eighty-five percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades one through six in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the

five-year average cost of the education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher.

5. Each school district having students in grades seven and eight is entitled to receive the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of students in average daily membership in grades seven and eight in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first thirty students in average daily membership per classroom or per teacher. The payments provided for in this subsection are not available for students who attend a one-room rural school if that school is the only one in the district that offers educational services to students in grades seven and eight.
6. Each school district having a special education program approved by the director of special education is entitled to receive, for each student who is enrolled in the program and who is at least three years of age but less than the compulsory age for school attendance, the amount of money that results from multiplying the factor 1.01 adjusted by ~~seventy-five~~ eighty-five percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of special education students in average daily membership in the program who are at least three years of age but less than the compulsory age for school attendance, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction.
7. a. Each school district operating a kindergarten as provided for in section 15.1-22-02 is entitled to receive the amount of money that results from multiplying the factor .50 adjusted by ~~seventy-five~~ eighty-five percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, by the number of kindergarten students in average daily membership in the district, times the per student payment provided for in section 15.1-27-04. Beginning July 1, 2004, the factor is that which represents the five-year average cost of education per student in this category, as determined by the superintendent of public instruction. The payment provided for in this subsection is applicable only to the first twenty-five students in average daily membership per classroom or per teacher.
b. In order to receive the full per student payment available under this section, a district must operate a kindergarten program that provides the equivalent of ninety full days of classroom instruction during a twelve-month period. A district is entitled to a prorated payment

under this section if it operates a kindergarten program of shorter duration.

8. Each school district that educates students who are also enrolled in nonpublic schools is entitled to receive proportionate payments under this section.
9. Each school district is entitled to receive as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.
10. A school district is not entitled to any payments provided for by this chapter unless each teacher employed by the district:
 - a. Holds a teaching license issued by the education standards and practices board; or
 - b. Has been approved to teach by the education standards and practices board.

SECTION 13. AMENDMENT. Subsection 1 of section 15.1-27-10 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2, each biennium the superintendent of public instruction shall distribute moneys appropriated by the legislative assembly for per student special education payments to each school district in the state on the basis of students in average daily membership. The superintendent of public instruction shall forward the payments, as calculated under section 15.1-27-05, to eligible school districts in the same manner and at the same time that the superintendent distributes ~~per student and transportation state aid~~ state aid payments. For purposes of this section, "special education" means the provision of special services to students who have special needs, including students who are gifted and talented. Expenditures under this section may not conflict with nonsupplanting and maintenance of effort provisions under the Individuals With Disabilities Education Act, 20 United States Code 1400 et seq.

SECTION 14. AMENDMENT. Section 15.1-27-11 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-11. High school districts - Supplemental payments.

1. The superintendent of public instruction shall calculate the average valuation of property per student by dividing the number of students in average daily membership in grades one through twelve in a high school district into the sum of:
 - a. The district's latest available net assessed and equalized taxable valuation of property; plus
 - b. All tuition payments and county and unrestricted federal revenue received by the district, divided by the total of the district's general fund levy, high school transportation levy, and high school tuition levy.
2. If the quotient is less than the latest available statewide average taxable valuation per student and if the district's educational expenditure per

student is below the most recent available statewide average cost of education per student, the superintendent of public instruction shall:

1. a. Determine the difference between the latest available statewide average taxable valuation per student and the average taxable valuation per student in the high school district;
2. b. Multiply the result determined under ~~subsection 1~~ subdivision a by the number of students in average daily membership in grades one through twelve in the high school district;
3. c. Multiply the result determined under ~~subsection 2~~ subdivision b by the number of general fund mills levied by the district in excess of one hundred fifty, provided that any mills levied by the district which are in excess of two hundred ten may not be used in this calculation; and
4. d. Multiply the result determined under ~~subsection 3~~ by ~~thirty percent~~ subdivision c by a factor calculated by the superintendent of public instruction to result in the expenditure, over the course of the biennium, of the full amount provided for the purpose of this section.
- e. The result is the supplemental payment to which a high school district is entitled, in addition to any other amount provided under chapter 15.1-27.

SECTION 15. AMENDMENT. Subsection 4 of section 15.1-27-19 of the North Dakota Century Code is amended and reenacted as follows:

4. Proportionate payments made under this section during a biennium for summer school courses or programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for ~~per student and transportation state aid~~ payments during the biennium, or eight million dollars, whichever is less. No more than seventy-five percent of the amount made available under this subsection may be used to support summer school courses at the high school level and no more than twenty-five percent of the amount made available under this subsection may be used to support remedial summer school programs at the elementary level.

SECTION 16. AMENDMENT. Subsection 4 of section 15.1-27-21 of the North Dakota Century Code is amended and reenacted as follows:

4. The superintendent of public instruction shall pay the amount due under this section within the limits of legislative appropriations for ~~per student state aid~~ payments ~~and transportation aid~~.

SECTION 17. AMENDMENT. Section 15.1-27-34 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-34. Transfer of funds prohibited - Youth correctional center. The superintendent of public instruction may not transfer any portion of the funds appropriated for ~~per student state aid~~ payments ~~and transportation aid~~ to the youth correctional center to support the provision of educational services by the youth correctional center.

SECTION 18. AMENDMENT. Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year ~~to increase the~~ at least maintain the level of compensation provided to teachers employed by the district during the 2002-03 school year.
2. The claim must include:
 - a. The number of full-time equivalent teachers employed by the district as of September fifteenth;
 - b. The number of full-time equivalent teachers ~~who will receive an increase in compensation over the amount paid during the previous~~ whose level of compensation will be at least equal to that provided during the 2002-03 school year; and
 - c. The total amount of ~~the increase in~~ any compensation increases provided to full-time equivalent teachers over the level of compensation provided during the 2002-03 school year.
3.
 - a. For the ~~2001-02~~ 2003-04 school year, the reimbursement provided for in this section may not exceed ~~one thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2001.~~
 - b. ~~Except as provided in subdivision a, for the 2002-03 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2002~~ 2003.
 - b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.
 - c. For the ~~2002-03~~ 2003-04 school year, the reimbursement under this section for each individual employed as of September 15, ~~2002~~ 2003, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
 - d. For the 2004-05 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals

employed as teachers by the special education unit or the area vocational and technology center to which the district belongs.

5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section.

SECTION 19. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

Approved joint powers agreement - Reimbursement by superintendent of public instruction.

1. The individual employed as a chief administrator for the purpose of carrying out the provisions of a joint powers agreement and any requirements under section 3 of this Act shall submit to the superintendent of public instruction, at the time and in the manner designated by the superintendent, receipts for expenses incurred during a school year in delivering services and programs under section 3 of this Act.
2. The superintendent of public instruction, upon verifying the receipts, shall reimburse the chief administrator of the joint powers agreement for any expenses incurred in delivering services and programs under the auspices of the joint powers agreement as provided in section 3 of this Act. The reimbursement may not exceed the lesser of:
 - a. The total expenses incurred in delivering services and programs under section 3 of this Act; or
 - b. Fifty thousand dollars.
3. The chief administrator shall deposit any moneys received under subsection 2 in the participating districts' joint operating fund.
4. The superintendent of public instruction may not provide any reimbursement to a chief administrator under this section unless the joint powers agreement under which the services and programs are delivered has been approved by the superintendent.

SECTION 20. AMENDMENT. Section 15.1-27-39 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-39. Annual salary - Minimum amount.

1. Beginning with the ~~2001-02~~ 2003-04 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, ~~a minimum salary level of salary~~ for the contract period equal to at least ~~eighteen~~ twenty-one thousand ~~five hundred~~ dollars.
2. Beginning with the ~~2002-03~~ 2004-05 school year, the board of each school district shall provide to each full-time teacher, under contract for a period of nine months, ~~abase~~ minimum salary level for the contract period equal to at least ~~twenty~~ twenty-one thousand five hundred dollars.

SECTION 21. AMENDMENT. Section 15.1-29-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:
 - a. A student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state.
 - b. A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.
 - c. A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.
2. If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three-member committee referenced in section 15.1-29-06.
 - a. If the three-member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.
 - b. If the three-member committee determines the student falls within the terms of subdivision a of subsection 1, then the three-member committee shall make its decision using the criteria specified in section 15.1-29-06.
 - c. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - d. Any decision by the three-member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final.
3.
 - a. The superintendent of public instruction shall forward ~~all per-student and transportation state~~ aid payments for a student attending an out-of-state school to the student's school district of residence.
 - b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district enrolled in its school.
 - c. ~~Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.~~

4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools.

SECTION 22. AMENDMENT. Subsection 4 of section 15.1-29-06 of the North Dakota Century Code is amended and reenacted as follows:

4. A school district of residence may provide transportation to a student for whom tuition is paid under this section. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district ~~and the admitting district is then entitled to state payments for the transportation of the student.~~

SECTION 23. AMENDMENT. Section 15.1-29-13 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-13. Tuition payments - Nonresident students.

1.
 - a. Except as provided in this subsection, the board of a school district that admits a nonresident student shall charge and collect tuition for the student. Either the student's district of residence shall pay the tuition to the admitting district in accordance with section 15.1-29-12 or the student's parent shall pay the tuition to the admitting district in accordance with section 15.1-29-07.
 - b. A board may charge tuition for nonresident students enrolled in an approved alternative education program.
 - c. Except as otherwise provided, if a school district fails to charge and collect tuition for a nonresident student, the districts shall forfeit any ~~per student payment and transportation state~~ aid otherwise payable for the nonresident student.
2.
 - a. The board of a school district may admit a nonresident student from another district in this state offering the same grade level as that in which the student is enrolled without a charge and collection of tuition if the sending and admitting districts have entered into a written contract regarding the student's admission.
 - b. For purposes of determining whether the same grade level is offered, two or more school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.
 - c. The contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student.
 - d. A contract is not necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged.

- e. A school district may admit a nonresident student described in section 15.1-31-07 from another school district in this state without a charge and collection of tuition and without a written agreement.
3. A school district may not charge or collect from a nonresident student, the student's parent, or the student's district of residence any fees or charges not otherwise assessed to all resident students.

SECTION 24. AMENDMENT. Section 15.1-29-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-29-14. Student placement for noneducational purposes - Residency determination - Payment of tuition.

1. For purposes of applying this chapter, a student's school district of residence is the district in which the student resides:
 - a. At the time that a state court, tribal court, juvenile supervisor, or the division of juvenile services issues an order requiring the student to stay for a prescribed period at a state-licensed foster home or at a state-licensed child care home or facility;
 - b. At the time a county or state social service agency places the student, with the consent of the student's parent or legal guardian, at a state-licensed foster home or at a state-licensed child care home or facility;
 - c. At the time the student is initially placed in a state-operated institution, even if the student is later placed at a state-licensed foster home or at a state-licensed child care home or facility; or
 - d. At the time the student is voluntarily admitted to a state-operated institution or to a state-licensed child care home or facility.
2. The student's school district of residence is obligated to pay:
 - a. All charges for tuition upon claim of the admitting district; and
 - b. All charges for tutoring services upon claim of an admitting facility, provided that the tutoring services are delivered by an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3.
 - a. If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency in another school district in this state, the school district in which the custodial parent has established residency becomes the student's school district of residence for purposes of paying tuition and tutoring charges under subsection 2.
 - b. The state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools:
 - (1) If, after a student placement is made as provided for under subsection 1, the student's custodial parent establishes residency outside this state; or

- (2) If a court orders a termination of parental rights with respect to the student's parents.
4. If the student is voluntarily admitted to a state-licensed child care home or facility, or to a state-operated institution, the student's parent or, if one has been appointed, the student's legal guardian may appeal a determination under section 15.1-29-05 regarding the payment of tuition by filing a petition with the county superintendent of schools. Within fifteen days of receiving the petition, the three-member committee established under section 15.1-29-06 shall consult with the boards of the affected school districts and with the student's parent or legal guardian and render a decision regarding responsibility for the payment of tuition charges.
5. If the student's district of residence does not pay the required tuition, the admitting district or facility shall notify the superintendent of public instruction. Upon verification that tuition payments are due and unpaid, the superintendent shall withhold an amount equal to the unpaid tuition from ~~per student payments and transportation~~ state aid otherwise payable to the student's school district of residence until the tuition due has been fully paid.
6. An amount equal to the state average per student elementary or high school cost, depending on the student's grade of enrollment, is payable to the admitting district or facility as part of the cost of educating the student for the school year. The payment may not exceed the actual per student cost incurred by the admitting district or facility. The remainder of the actual cost of educating the student not covered by other payments or credits must be paid by the state, within the limits of legislative appropriations, from funds appropriated for special education in the case of a student with disabilities or from ~~funds appropriated for per student~~ state aid payments and transportation aid to schools in all other cases.
7. If a student with disabilities placed in accordance with this section reaches age eighteen and continues to receive special education and related services, the student's school district of residence is deemed to be the same as that of the student's custodial parent until the special education services are concluded. If the student's custodial parent establishes residency outside this state, or if a court orders a termination of parental rights with respect to the student's parents, the state shall pay the tuition and tutoring charges under subsection 2 from funds appropriated by the legislative assembly for ~~per student and transportation~~ state aid to schools.
8. a. The placing agency shall provide written notice regarding an initial placement and all subsequent placements of a student, by registered mail, to the superintendent of the student's school district of residence and to the superintendent of the admitting district:
- (1) Within five working days after a placement is made under court order;
- (2) Within five working days after an emergency placement is made; or
- (3) At least ten working days prior to any other placement.

- b. The written notice must include any information requested by the superintendent of public instruction for purposes of determining payment responsibility.
 - c. The placing agency shall afford the student's school district of residence reasonable opportunity to participate in permanency planning for the student.
9. Notwithstanding this section, educational services provided to a student by the youth correctional center are not subject to the payment of tuition by either the student's school district of residence or the superintendent of public instruction.
10. For purposes of this section, "custodial parent" means the parent who has been awarded sole legal and physical custody of the student in a legal proceeding or, if there is currently no operative custody order, the parent with whom the student resides. If the student resides with both parents, then both are custodial parents.

SECTION 25. AMENDMENT. Subsection 1 of section 15.1-30-01 of the North Dakota Century Code is amended and reenacted as follows:

- 1. The board of a school district may:
 - a. Provide for the transportation of a student to and from school; or
 - b. If acceptable to the student's parent, reimburse the parent for expenses incurred in providing meals and lodging to the student outside the student's home, ~~provided that the reimbursement may not exceed the amount permitted under subsection 4 of section 15.1-27-27.~~

SECTION 26. AMENDMENT. Section 15.1-30-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-30-05. Schoolbus transportation services - Optional fee. The board of a school district that has not been reorganized may charge a fee for the provision of schoolbus transportation service to students. ~~If the service began before July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the lesser of the state average cost for transportation or the district's cost during the preceding school year. If the service started on or after July 1, 1981, the total fees charged may not exceed an amount equal to the difference between the state transportation payment and the school district's cost of transportation during the preceding school year. A district that has not previously provided transportation to students shall base its fees on estimated costs during the first year transportation is provided.~~

SECTION 27. AMENDMENT. Subsection 2 of section 15.1-30-15 of the North Dakota Century Code is amended and reenacted as follows:

- 2. a. The board of a school district that provides transportation to its students may contract with other local, state, or federal government entities for the joint provision and integration of transportation services to the public.
- b. A contract under this section must provide for the observation of all safety requirements otherwise imposed by law on schoolbuses, on

school vehicles, and on schoolbus drivers when students are being transported.

- e. ~~Transportation services to students provided pursuant to this subsection qualify for state transportation aid under chapter 15.1-27. However, no payments may be made from state funds for any costs incurred as a result of a deviation from established schoolbus routes necessitated by a contract pursuant to this subsection.~~

SECTION 28. AMENDMENT. Section 15.1-31-05 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-05. Open enrollment - Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, ~~and the admitting district is then entitled to state payments for the transportation of that student.~~

SECTION 29. AMENDMENT. Section 15.1-31-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-31-06. Open enrollment - School boards - Standards.

1. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.
2. A board may also determine that applications for admittance under open enrollment, in accordance with this chapter, will not be considered.
3. a. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly exert influence on the student or the student's family, in order to encourage participation in the open enrollment program.
b. For purposes of this subsection, directly exerting influence means providing information about the school district to individuals who are not residents of that district unless the information is requested.
c. If the members of the board of a school district believe that another school district has violated this subsection, the board may file a complaint with the superintendent of public instruction. Upon receipt of a complaint alleging a violation of this subsection, the superintendent of public instruction shall hold a hearing and accept testimony and evidence regarding the complaint. If the superintendent finds that a school district has violated this subsection, the superintendent may withhold some or all of the ~~transportation~~ state aid payments to which the district would be otherwise entitled for a period of one year from the date of the finding. A decision by the superintendent under this subsection is appealable to the state board of public school education. A decision by the state board of public school education is final.

SECTION 30. AMENDMENT. Section 15.1-32-16 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-16. Transportation services - State reimbursement. If a student's individualized education program or services plan requires the provision of transportation services, the student's school district of residence shall provide the services by any reasonably prudent means, including a regularly scheduled schoolbus, public transit, commercial transportation, chartered or other contracted transportation, and transportation provided by the student's parent or other responsible party. ~~The school district is entitled to state reimbursement for the provision of transportation services to the student. If transportation is provided by a student's parent, the superintendent may reimburse the school district only for mileage costs.~~

SECTION 31. TRANSPORTATION GRANTS - DISTRIBUTION.

1. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, to each school district in the state an amount equal to the state transportation aid payments received by the school district during the 2001-03 biennium.
2. If two or more school districts reorganize into a single district on or after July 1, 2003, the superintendent of public instruction shall forward to the newly reorganized district an amount equal to the transportation payments received by each of the districts participating in the reorganization during the 2001-03 biennium.
3. If a school district that received transportation payments during the 2001-03 biennium dissolves on or after July 1, 2003, the superintendent of public instruction shall forward a percentage of the amount equal to that which the dissolved district received for transportation aid payments during the 2001-03 biennium to each school district that enrolls students who attended the dissolved school district during its final year of operation. Each school district eligible for payment under this subsection is entitled to receive that percentage of the total amount payable which is the same as the percentage that the number of district's students who attended the dissolved school district during its final year of operation bears to the total number of students who attended the dissolved school district during its final year of operation.
4. During each year of the 2003-05 biennium, the superintendent of public instruction shall distribute one-half of the payments required by this section to school districts at the same time and in the same manner as required for state aid payments under section 15.1-27-01.

SECTION 32. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods, including consideration of the amount of local contribution on a per resident basis. If the legislative council conducts this study, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 33. NO CHILD LEFT BEHIND - COST ESTIMATE. The superintendent of public instruction shall confer with the United States secretary of education, the education commission of the states, and other public and nonpublic entities to determine the estimated costs that are likely to be incurred by this state

during the ensuing eight years in order to meet the requirements of the No Child Left Behind Act of 2001. The superintendent of public instruction shall provide the information obtained to an interim committee designated by the legislative council.

SECTION 34. DATA ENVELOPMENT ANALYSIS - COMPLETION DATE - REPORT. The superintendent of public instruction shall complete the data envelopment analysis project, as set forth in Senate Bill No. 2032, as approved by the fifty-eighth legislative assembly, on or before September 1, 2004, and shall report any findings and conclusions to a committee designated by the legislative council, as soon after that date as practicable.

SECTION 35. SUPPLEMENTAL PAYMENTS - DISTRIBUTION. The superintendent of public instruction shall distribute from the grants - state school aid line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, an amount for supplemental payments under section 15.1-27-11 equal to the amount that payments to school districts have been reduced as a result of the application of subdivision c of subsection 1 of section 15.1-27-05, as it is in effect after June 30, 2004.

SECTION 36. DISTRIBUTION OF DIFFERENCE IN PAYMENTS - HOLD HARMLESS PAYMENTS.

1. If funds appropriated by the legislative assembly to the grants - teacher compensation line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, remain after completion of all statutory obligations, to the extent of legislative appropriations, the superintendent of public instruction shall:
 - a. Calculate the payment to which a school district is entitled during the 2003-05 biennium under this Act; and
 - b. Calculate the payment to which a school district would have been entitled during the 2003-05 biennium under this Act if the per student payments established in section 15.1-27-04 had included the total amount appropriated to the grants - teacher compensation payments line item in Senate Bill No. 2013, as approved by the fifty-eighth legislative assembly, and further provided that no requirements for teacher compensation were placed on school districts by section 15.1-27-37.
2. If the amount to which a school district is entitled during the biennium under this Act is less than the amount to which a school district would have been entitled under the parameters of subdivision b of subsection 1, the superintendent of public instruction shall forward the difference between the amounts to the school district on or before June 30, 2005. If insufficient moneys exist to fully meet the requirements of this subsection, the superintendent of public instruction shall prorate the payments according to that percentage of the amount available to which a school district is entitled.
3. If any moneys remain after the superintendent of public instruction completes the requirements of subsections 1 and 2, the superintendent of public instruction shall use the remaining moneys to provide additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 37. CONTINGENT PAYMENTS - DISTRIBUTION. If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in Senate Bill No. 2013 remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2003, and ending June 30, 2005, the superintendent of public instruction shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$250,000, or so much of that amount as is necessary, for the purpose of providing reimbursements to the chief administrators of joint powers agreements pursuant to section 19 of this Act.
2. The superintendent of public instruction shall use the next \$1,000,000, or so much of that amount as is necessary, for the purpose of providing reorganization bonuses, pursuant to section 15.1-12-11.1, to school districts having reorganizations effective after July 1, 2003, and before July 1, 2005. If insufficient moneys exist to fully meet the requirements of this subsection, the superintendent of public instruction shall prorate the payments according to that percentage of the amount available to which a school district is entitled.
3. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis, according to the average daily membership of each school district during the 2004-05 school year.

SECTION 38. TEACHER COMPENSATION - CONTINUATION OF EFFORT. The board of a school district shall consider continuing the efforts made in the 2001-03 biennium to increase teacher salaries throughout the state.

SECTION 39. APPROPRIATION - REORGANIZATION BONUSES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing a reorganization bonus to any school district having a reorganization effective on July 1, 2003, pursuant to section 15.1-12-11.1, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 40. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing supplemental payments to school districts under section 15.1-27-11, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 41. REPEAL. Sections 15.1-27-26, 15.1-27-27, 15.1-27-28, 15.1-27-29, 15.1-27-30, and 15.1-27-31 of the North Dakota Century Code are repealed.

SECTION 42. EFFECTIVE DATE. Section 7 of this Act becomes effective on July 1, 2005."

Renumber accordingly

Reengrossed SB 2154 was placed on the Seventh order of business on the calendar.

Yubereca J. Lee
Operator's Signature

10-16-03
Date

2003 TESTIMONY
SB 2154

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Yubereca d. Ace
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10-16-03
Date

**TESTIMONY ON SENATE BILL NO. 2154
SENATE EDUCATION COMMITTEE
JANUARY 22, 2003**

Good morning Chairman Freborg and members of the Senate Education Committee. I am Joe Morrissette, an Assistant Executive Budget Analyst with the Office of Management and Budget. I am here to testify in support of Senate Bill No. 2154.

Senate Bill No. 2154 was introduced by the Office of Management and Budget in support of the executive budget recommendation for state school aid and teacher compensation payments.

I will briefly explain each section of the bill:

Section 1 increases the per student payments by 3.5 percent the first year of the 2003-05 biennium and by 4 percent the second year of the biennium. Payments are proposed to increase from the 2002-03 level of \$2,347 to \$2,430 in 2003-04 and \$2,528 in 2004-05.

Sections 2 and 3 of the bill adjust weighting factors from the arbitrarily set statutory factors to the factors representing actual educational expenditures. Currently, statutory factors are adjusted by 75 percent of the difference between the statutory factors and the factors representing the five-year average educational expenditures. The executive recommendation proposes to adjust statutory factors by 85 percent of the difference the first year of the biennium and provides that for the 2004-05 school year, and all subsequent school years, weighting factors will be based on the five-year average educational expenditures. The weighting factors are included in the state school aid formula to address actual differences in educational costs realized by different size

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

school districts. Ensuring that these factors are based on actual costs is an important step in improving the equity of the school funding formula.

Section 4 of the bill modifies the existing formula used to distribute supplemental equity payments. As you know, these payments are directed toward the poorest districts in the state. In order to qualify, a district must be below the state average educational expenditure per student and below the state average taxable valuation per student. Currently, the Department of Public Instruction is required to limit the payment to 30 percent of the amount generated by the statutory formula, even if this results in a portion of the legislative appropriation being returned to the state general fund at the end of the biennium. In order to ensure that the entire appropriation can be distributed, it is necessary for DPI to have the ability to adjust this formula. This proposed amendment allows DPI to adjust the supplemental equity payment formula as necessary to distribute all appropriated funds.

The executive budget includes a significant increase in supplemental equity payments, from \$2.2 million in the current biennium to \$3.2 million in 2003-05. This amendment ensures that the entire \$3.2 million appropriation can be distributed to qualifying districts.

Section 5 continues the teacher compensation program authorized by the 2001 Legislative Assembly and increases teacher payments from the current level of \$3,000 to a maximum of \$3,500 in 2003-04 and \$4,500 in 2004-05.

*60 million
@ 10% of funding mix*

Mr. Chairman, members of the committee, this concludes my testimony on Senate Bill No. 2154. I would be happy to try answer any questions you have.

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Yuberca d. Lee
Operator's Signature

10-16-03
Date



January 22, 2003

Chairman Freborg and Members of the Senate Education Committee:

For the record, my name is Gloria Lokken. I am a fourth grade teacher on leave from Minot Public Schools to serve as President of the North Dakota Education Association.

I strongly support SB2154.

The 2001 Legislature made history by approving HB1344---the first Teacher Compensation Bill---and recognizing the need to recruit and retain teachers in North Dakota's public schools. As you recall, HB1344 set aside a certain amount of money that school districts could only receive if they increased teacher compensation. This money went to FTE (Full-Time-Equivalent) teachers.

This new approach to funding schools made a difference---most North Dakota educators gained the greatest salary increase they had seen in 20 years---since 1983. It also made a difference in our educators choosing not to leave the state or the teaching profession. And it allowed new graduates to pursue teaching assignments in our state.

Now, we are asking YOU to sustain and to improve the teacher compensation package. Follow Governor Hoeven's lead by earmarking this money for teacher compensation and then by funding the 'Hold Harmless' clause. By actually funding the 'Hold Harmless' payments, no district



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Gloria Lokken
Operator's Signature

10-16-03
Date

will receive less than they would have received if all the money were in Foundation Aid.

The education arena has changed greatly. Our teachers realize there are opportunities in other states. In fact, many are being aggressively recruited. The teacher shortage is nationwide. States are competing for a limited supply of teachers, and the number of teachers who will retire within the next few years is staggering. In North Dakota alone, 38 percent of our teachers are eligible to retire in the next eight to ten years. To retain our people and to interest prospective teachers, we must continue to enhance salaries. We must do better; we have been 50th in salaries for too many years.

The argument we are now hearing is that the salaries are better, so we should put the teacher compensation money back into foundation aid. Districts are saying they know they must increase salaries, but they want the decisions made at the district level. We have a long history of working with foundation aid payments and negotiating for salaries. We know increases in foundation aid do not translate into salary increases.

Teaching may be a calling, but it shouldn't be a sacrifice. The foundation aid program only worked because teachers made the sacrifice. In fact, they not only accepted low salaries; they dug deep into their own pockets to supplement their classroom materials. More than likely, we'll continue to spend on our students, but on behalf of future teachers and ourselves, we are no longer willing to accept the leftovers as salaries.

In the past twenty years, the percentage of state support has decreased, and more of the funding has transferred to local property taxes. In 1982, we ranked 30th in U.S. teachers' salaries; in 2002, we ranked 50th. In 1985, funds from local sources were 35 percent, and in 2002, funds from local sources were 43 percent. North Dakota must do better. Our state has a constitutional obligation to fund public schools and that means providing the resources that are needed.

Funding the teacher compensation package commits only ten percent of the school aid package, and it delivers those dollars to the basic level of teaching students in the classroom. We know money spent for things that really matter, such as attracting and retaining qualified staff, makes a positive difference in the education of students. It really is all about students. We want to keep quality staff in our classrooms. We do not want them replaced with TVs and correspondence courses.

While progress was made during the last legislative session, we have a lot of work to do. We must enhance the teacher compensation package to continue recruiting and retaining quality teachers for North Dakota students.

As teachers and school staff, we make a difference each day in classrooms across the state. Today, you can make a difference for students and the future of North Dakota by voting a '**Do Pass**' on SB2154.

Now, Joe Westby will follow with additional testimony on SB2154.

Joe Wistby NDEA
SB.2154

NORTH DAKOTA TEACHER SALARY PROJECTIONS
2000-01 to 2002-03

Year	Avg Salary	% Increase	\$ Increase
00-01	\$30,891	3.44%	\$1,028
01-02	\$32,253	4.41%	\$1,362
02-03	\$34,053	5.58%	\$1,800

Note: 02-03 average salary is an estimate

Year	BA Base	% Increase	\$ Increase
00-01	\$19,175	2.86%	\$533
01-02	\$20,373	6.25%	\$1,198
02-03	\$21,879	7.39%	\$1,506

Year	BA Lane Max	% Increase	\$ Increase
00-01	\$24,931	2.49%	\$606
01-02	\$26,362	5.74%	\$1,431
02-03	\$27,882	5.77%	\$1,520

Year	MA Base	% Increase	\$ Increase
00-01	\$21,710	2.77%	\$586
01-02	\$23,016	6.02%	\$1,306
02-03	\$24,538	6.61%	\$1,522

Year	MA Lane Max	% Increase	\$ Increase
00-01	\$32,443	3.14%	\$987
01-02	\$34,211	5.45%	\$1,768
02-03	\$35,967	5.13%	\$1,756

Year	Schedule Max	% Increase	\$ Increase
00-01	\$32,871	Not Available	Not Available
01-02	\$34,805	5.88%	\$1,934
02-03	\$36,522	4.93%	\$1,717

Note: 02-03 schedule benchmark averages are based on reports from all districts except Jamestown

1/18/03

u:\salaries\salary data 00-03.xls

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Yheropa J. Lee
Operator's Signature

10-16-03
Date

NORTH DAKOTA TEACHER SALARY DATA

Year	Avg Salary	% Increase	\$ Increase
94-95	\$26,327	3.22%	\$821
95-96	\$26,969	2.44%	\$642
96-97	\$27,711	2.75%	\$742
97-98	\$28,213	1.81%	\$502
98-99	\$29,002	2.80%	\$789
99-00	\$29,863	2.97%	\$861
00-01	\$30,891	3.44%	\$1,028
01-02	\$32,253	4.41%	\$1,362
02-03	\$34,053	5.58%	\$1,800

Year	MA Base	% Increase	\$ Increase
94-95	\$18,966	1.50%	\$287
95-96	\$19,420	2.39%	\$454
96-97	\$19,822	2.07%	\$402
97-98	\$20,126	1.53%	\$304
98-99	\$20,534	2.03%	\$408
99-00	\$21,124	2.87%	\$590
00-01	\$21,710	2.77%	\$586
01-02	\$23,016	6.02%	\$1,306
02-03	\$24,538	6.61%	\$1,522

Note: 02-03 average salary is an estimate

Year	BA Base	% Increase	\$ Increase
94-95	\$16,859	1.90%	\$313
95-96	\$17,255	2.35%	\$396
96-97	\$17,520	1.54%	\$265
97-98	\$17,806	1.63%	\$286
98-99	\$18,104	1.67%	\$298
99-00	\$18,642	2.97%	\$638
00-01	\$19,175	2.86%	\$533
01-02	\$20,373	6.25%	\$1,198
02-03	\$21,879	7.39%	\$1,506

Year	MA Lane Max	% Increase	\$ Increase
94-95	\$27,499	1.40%	\$391
95-96	\$28,459	3.49%	\$960
96-97	\$29,084	2.20%	\$625
97-98	\$29,592	1.75%	\$508
98-99	\$30,540	3.20%	\$948
99-00	\$31,456	3.00%	\$916
00-01	\$32,443	3.14%	\$987
01-02	\$34,211	5.45%	\$1,768
02-03	\$35,967	5.13%	\$1,756

Year	BA Lane Max	% Increase	\$ Increase
94-95	\$21,449	1.80%	\$388
95-96	\$22,059	2.84%	\$610
96-97	\$22,326	1.21%	\$267
97-98	\$22,632	1.37%	\$306
98-99	\$23,694	4.69%	\$1,062
99-00	\$24,325	2.68%	\$631
00-01	\$24,931	2.49%	\$606
01-02	\$26,362	5.74%	\$1,431
02-03	\$27,882	5.77%	\$1,520

Year	Schedule Max	% Increase	\$ Increase
94-95			
95-96			
96-97			
97-98			
98-99			
99-00			
00-01	\$32,871		
01-02	\$34,805	5.88%	\$1,934
02-03	\$36,522	4.93%	\$1,717

Note: 2002-03 salary schedule benchmark averages based on settlements for all districts except Jamestown.

1/17/03

U:\salaries\salary data

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

ND/US SALARY GAP 1981-82 to 2001-02

Year	ND Avg Salary	Rank	US Avg Salary	Dollar Difference	% ND Avg of US Avg
81-82	\$17,686	30	\$19,157	\$1,471	92.3%
82-83	\$18,774	30	\$20,725	\$1,951	90.6%
83-84	\$19,260	35	\$21,935	\$2,675	87.8%
84-85	\$20,090	40	\$23,595	\$3,505	85.1%
85-86	\$20,816	43	\$25,201	\$4,385	82.6%
86-87	\$21,284	46	\$26,556	\$5,272	80.1%
87-88	\$21,660	46	\$28,029	\$6,369	77.3%
88-89	\$22,249	48	\$29,570	\$7,321	75.2%
89-90	\$23,016	48	\$31,361	\$8,345	73.4%
90-91	\$23,574	50	\$33,123	\$9,549	71.2%
91-92	\$24,495	49	\$34,054	\$9,559	71.9%
92-93	\$25,211	49	\$35,017	\$9,806	72.0%
93-94	\$25,506	49	\$35,756	\$10,250	71.3%
94-95	\$26,327	50	\$36,605	\$10,278	71.9%
95-96	\$26,969	49	\$37,702	\$10,733	71.5%
96-97	\$27,711	50	\$38,611	\$10,900	71.8%
97-98	\$28,213	50	\$39,385	\$11,172	71.6%
98-99	\$29,002	50	\$40,580	\$11,578	71.5%
99-00	\$29,863	50	\$41,694	\$11,831	71.6%
00-01	\$30,891	50	\$43,339	\$12,448	71.3%
01-02	\$32,253	50	\$44,499	\$12,246	72.5%

Source: NEA Rankings of the States
 NDEA Analysis of Salary Schedules
 DPI Administrative and Instructional Personnel

1/6/2003
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**ND/US SALARY INCREASES
1981-82 to 2001-02**

Year	ND Avg Salary	Increases		US Avg Salary	Increases	
		Dollar	Percent		Dollar	Percent
81-82	\$17,686			\$19,157		
82-83	\$18,774	\$1,088	6.15%	\$20,725	\$1,568	8.18%
83-84	\$19,260	\$486	2.59%	\$21,935	\$1,210	5.84%
84-85	\$20,090	\$830	4.31%	\$23,595	\$1,660	7.57%
85-86	\$20,816	\$726	3.61%	\$25,201	\$1,606	6.81%
86-87	\$21,284	\$468	2.25%	\$26,556	\$1,355	5.38%
87-88	\$21,660	\$376	1.77%	\$28,029	\$1,473	5.55%
88-89	\$22,249	\$589	2.72%	\$29,570	\$1,541	5.50%
89-90	\$23,016	\$767	3.45%	\$31,361	\$1,791	6.06%
90-91	\$23,574	\$558	2.42%	\$33,123	\$1,762	5.62%
91-92	\$24,495	\$921	3.91%	\$34,054	\$931	2.81%
92-93	\$25,211	\$716	2.92%	\$35,017	\$963	2.83%
93-94	\$25,506	\$295	1.17%	\$35,756	\$739	2.11%
94-95	\$26,327	\$821	3.22%	\$36,605	\$849	2.37%
95-96	\$26,969	\$642	2.44%	\$37,702	\$1,097	3.00%
96-97	\$27,711	\$742	2.75%	\$38,611	\$909	2.41%
97-98	\$28,213	\$502	1.81%	\$39,385	\$774	2.00%
98-99	\$29,002	\$789	2.80%	\$40,580	\$1,195	3.03%
99-00	\$29,863	\$861	2.97%	\$41,694	\$1,114	2.75%
00-01	\$30,891	\$1,028	3.44%	\$43,339	\$1,645	3.95%
01-02	\$32,253	\$1,362	4.41%	\$44,499	\$1,160	2.68%

Source: NEA Rankings of the States
NDEA Analysis of Salary Schedules
DPI Administrative and Instructional Personnel

1/17/2003
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TEACHER AVERAGE SALARY RANKINGS OF THE STATES

1997-98 Rankings	1998-99 Rankings	1999-00 Rankings	2000-01 Rankings	2001-02 Rankings
1 Connecticut \$51,738	1 New Jersey \$51,424	1 Connecticut \$52,174	1 Connecticut \$57,693	1 California \$53,870
2 Alaska \$50,730	2 New Jersey \$51,193	2 New Jersey \$51,780	2 California \$52,480	2 Connecticut \$53,551
3 New Jersey \$50,442	3 New York \$49,537	3 Connecticut \$50,175	3 California \$50,040	3 New York \$53,581
4 Michigan \$49,277	4 Pennsylvania \$48,457	4 Michigan \$49,044	4 Michigan \$50,694	4 New York \$52,037
5 New York \$49,034	5 Pennsylvania \$47,448	5 Pennsylvania \$48,321	5 New Jersey \$50,177	5 Michigan \$51,186
6 Pennsylvania \$47,650	6 Dist of Columbia \$46,845	6 Pennsylvania \$47,690	6 Pennsylvania \$49,528	6 Pennsylvania \$50,599
7 Dist of Columbia \$46,350	7 Alaska \$45,650	7 Dist of Columbia \$47,076	7 Dist of Columbia \$48,704	7 Illinois \$50,000
8 Rhode Island \$44,300	8 Rhode Island \$45,400	8 Rhode Island \$47,041	8 Rhode Island \$48,474	8 Rhode Island \$49,758
9 Massachusetts \$43,930	9 California \$45,289	9 Alaska \$46,504	9 Alaska \$48,123	9 Alaska \$49,418
10 Illinois \$43,873	10 Illinois \$45,075	10 Illinois \$46,496	10 Illinois \$47,847	10 Massachusetts \$49,054
11 California \$43,725	11 Massachusetts \$45,075	11 Massachusetts \$46,250	11 Massachusetts \$47,789	11 Delaware \$48,363
12 Delaware \$42,439	12 Delaware \$43,164	12 Delaware \$44,435	12 Delaware \$47,047	12 Dist of Columbia \$47,049
13 Oregon \$42,150	13 Maryland \$43,112	13 Maryland \$44,048	13 Maryland \$45,963	13 Dist of Columbia \$46,200
14 Maryland \$41,739	14 Oregon \$42,833	14 Maryland \$41,850	14 Oregon \$44,989	14 Oregon \$46,039
15 Wisconsin \$39,899	15 Indiana \$41,159	15 Indiana \$41,694	15 Nevada \$44,386	15 Nevada \$44,738
16 Indiana \$39,682	16 Wisconsin \$40,657	16 Ohio \$41,436	16 Nevada \$43,339	16 US and DC \$44,499
17 Minnesota \$39,385	17 US and DC \$40,580	17 Wisconsin \$41,153	17 Indiana \$43,311	17 Indiana \$44,195
18 Ohio \$39,106	18 Ohio \$40,561	18 Washington \$41,043	18 Ohio \$42,764	18 Georgia \$44,073
19 Washington \$38,977	19 Hawaii \$39,671	19 Washington \$41,023	19 Ohio \$42,216	19 Georgia \$44,029
20 Washington \$38,788	20 Georgia \$39,675	20 Oregon \$40,919	20 Washington \$42,212	20 Washington \$43,474
21 Georgia \$38,377	21 Minnesota \$39,458	21 Washington \$40,578	21 Minnesota \$42,137	21 Washington \$43,390
22 Georgia \$37,378	22 Nevada \$38,883	22 Washington \$39,802	22 Wisconsin \$42,122	22 Minnesota \$42,615
23 Nevada \$37,093	23 Washington \$38,687	23 Minnesota \$39,419	23 Wisconsin \$41,496	22 Wisconsin \$42,232
24 Nevada \$37,052	24 Colorado \$38,157	23 Nevada \$39,390	23 Virginia \$41,496	23 Wisconsin \$41,991
25 Kansas \$36,811	25 Kansas \$37,506	24 Colorado \$38,163	24 Hawaii \$40,052	24 Virginia \$41,262
26 New Hampshire \$36,654	26 Virginia \$37,405	25 Virginia \$38,123	25 Colorado \$39,184	25 Colorado \$40,222
27 Vermont \$36,640	27 Virginia \$37,266	26 New Hampshire \$37,734	26 Texas \$38,361	26 Colorado \$39,973
28 Tennessee \$36,299	28 North Carolina \$36,883	27 Vermont \$37,714	27 Texas \$38,301	26 Arizona \$39,275
29 Tennessee \$35,340	29 Vermont \$36,800	28 Texas \$37,567	28 Vermont \$38,253	27 Florida \$39,268
30 Florida \$34,475	30 Florida \$35,916	29 Florida \$36,722	29 Florida \$38,230	28 Alabama \$39,240
31 Arizona \$34,411	31 Alabama \$35,820	30 Alabama \$36,689	30 Alabama \$38,230	29 Vermont \$39,240
32 Maine \$34,349	32 Kentucky \$35,526	31 Kentucky \$36,380	31 South Carolina \$37,938	30 Texas \$39,240
33 Iowa \$34,040	33 Tennessee \$35,490	32 Tennessee \$36,328	32 Tennessee \$37,431	31 South Carolina \$38,943
34 Missouri \$33,975	34 Arizona \$35,025	33 Tennessee \$36,081	33 Tennessee \$37,167	32 New Hampshire \$38,911
35 Texas \$33,648	35 Maine \$34,998	34 Iowa \$35,678	34 Texas \$37,167	33 Tennessee \$38,554
36 South Carolina \$33,608	36 Missouri \$34,906	35 Missouri \$35,656	35 Missouri \$36,715	34 Iowa \$38,230
37 West Virginia \$33,398	37 Missouri \$34,807	36 Arizona \$35,650	35 Missouri \$36,589	35 Missouri \$37,904
38 North Carolina \$33,315	38 Texas \$34,506	37 Maine \$35,561	36 Iowa \$35,479	36 Kentucky \$37,847
39 Utah \$32,950	39 West Virginia \$34,337	38 Idaho \$35,162	37 Wyoming \$36,441	37 Wyoming \$37,841
40 Alabama \$32,818	40 Utah \$34,244	39 West Virginia \$35,008	38 Idaho \$36,375	38 Utah \$37,482
41 Idaho \$32,775	41 Idaho \$34,070	40 Kansas \$34,981	39 Utah \$36,373	39 Utah \$37,414
42 Nebraska \$32,668	42 Wyoming \$34,063	41 Kansas \$34,946	40 Arkansas \$36,182	40 Maine \$37,300
43 Wyoming \$32,022	43 Nebraska \$33,500	42 Wyoming \$34,127	41 Kansas \$35,901	41 Arkansas \$37,140
44 Montana \$30,617	44 Nebraska \$32,880	43 Wyoming \$33,366	42 West Virginia \$35,868	42 Arkansas \$36,751
45 Oklahoma \$30,606	45 New Mexico \$32,398	44 Arkansas \$33,678	43 Wyoming \$34,678	43 Kansas \$36,673
46 Arkansas \$30,578	46 Louisiana \$32,384	45 Nebraska \$33,284	44 New Mexico \$34,499	44 New Mexico \$36,440
47 New Mexico \$30,152	47 Arkansas \$32,330	46 Louisiana \$33,109	45 Nebraska \$34,175	45 Nebraska \$36,236
48 Louisiana \$29,650	48 Montana \$31,354	47 New Mexico \$32,554	46 Nebraska \$33,785	46 Nebraska \$34,744
49 Mississippi \$29,547	49 Oklahoma \$31,115	48 Montana \$32,121	47 Louisiana \$33,615	47 Oklahoma \$34,505
50 North Dakota \$28,213	50 Mississippi \$29,530	49 Oklahoma \$31,857	48 Louisiana \$33,249	48 Montana \$34,379
51 South Dakota \$27,341	51 North Dakota \$29,002	50 North Dakota \$31,298	49 Mississippi \$31,954	49 Mississippi \$32,800
		50 North Dakota \$29,883	50 North Dakota \$30,891	50 North Dakota \$32,253
		51 South Dakota \$28,552	51 South Dakota \$30,072	51 South Dakota \$31,296

Source: I-2A Rankings & Estimates, Fall 2002

1/17/03

ct:NEA.ranking00-01.rnk

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Yubereca d. Lee
Operator's Signature

10-16-03
Date



North Dakota Education Association ♦ PO Box 5005 ♦ Bismarck ND 58502-5005 ♦ (701) 223-0450 ♦ (800) 369-6332

January 6, 2003

TO: NDEA Board, Staff, and Bargainers
FROM: Nancy Sand, Director of Advocacy Programs
RE: 2001-03 Settlement Report

This report reflects settlements reported to NDEA as of January 6, 2003. Only one district remains not settled.

Status of Negotiations Settlements

237 Total settlements reported for 2002-03
1 Impasse (Jamestown)

BA Base Increases - All Educational Units

\$19,175	BA Base 00-01	\$1,198	BA base increase 00-01 to 01-02
\$20,373	BA Base 01-02	\$1,506	BA base increase 01-02 to 02-03
\$21,879	BA Base 02-03	\$2,704	BA base increase 00-01 to 02-03

BA Base Increases - Enrollments 1000+

\$20,619	BA Base 00-01	\$1,167	BA base increase 00-01 to 01-02
\$21,786	BA Base 01-02	\$1,172	BA base increase 01-02 to 02-03
\$22,958	BA Base 02-03	\$2,339	BA base increase 00-01 to 02-03

BA Base Increases - Enrollments 400-999

\$19,945	BA Base 00-01	\$1,084	BA base increase 00-01 to 01-02
\$21,029	BA Base 01-02	\$1,437	BA base increase 01-02 to 02-03
\$22,466	BA Base 02-03	\$2,521	BA base increase 00-01 to 02-03

BA Base Increases - Enrollments 200-399

\$19,252	BA Base 00-01	\$1,088	BA base increase 00-01 to 01-02
\$20,340	BA Base 01-02	\$1,457	BA base increase 01-02 to 02-03
\$21,797	BA Base 02-03	\$2,545	BA base increase 00-01 to 02-03

BA Base Increases - Enrollments 1-199

\$18,703	BA Base 00-01	\$1,318	BA base increase 00-01 to 01-02
\$20,021	BA Base 01-02	\$1,622	BA base increase 01-02 to 02-03
\$21,643	BA Base 02-03	\$2,940	BA base increase 00-01 to 02-03

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Date

Note: Rankings adjusted for data with same number.
 Note: Columns for Schedule Minimum, Lane, Years = Data for minimum salary of the farthest right-hand lane on the salary schedule

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 Ent	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Years	CI	
		BA Base	BA Base	BA Base	BA Base	Rk 218	BA Base	Rk 207	BA Base	% Inc	\$ Inc	% Inc	MA Base	Rk 182	MA Max	Rk 178	Schedule Maximum			Rk 207
81	Adams	\$18,100	\$22,000	\$23,500	\$23,500	23	\$5,400	29.83%	\$5,400	29.83%	72	\$28,450	72	xx	xx	\$36,550	99	BA + 48	26	
80	Alexander	\$18,800	\$19,000	\$22,200	\$22,200	77	\$3,400	18.09%	\$3,400	18.09%	8	\$35,350	8	\$22,975	151	\$36,125	109	MA	25	N
83	Aramoose	\$18,700		\$20,800	\$20,800	176	\$2,100	11.23%	\$2,100	11.23%	196	\$23,500	196	\$22,500	163	\$32,575	160	MA	22	N
185	Ashley	\$19,200		\$22,000	\$22,000	84	\$2,800	14.59%	\$2,800	14.59%	112	\$26,800	112	\$24,000	105	\$35,600	119	MA	30	
341	Beach	\$18,600	\$19,600	\$21,500	\$21,500	115	\$2,900	15.59%	\$2,900	15.59%	119	\$26,600	119	\$24,450	84	\$32,950	128	MA + 16	22	
1,763	Belcourt	\$24,100	\$24,600	\$25,100	\$25,100	7	\$500	2.03%	\$1,000	4.15%	22	\$32,700	22	\$28,500	8	\$39,400	14	MA + 30	14	
258	Belfield	\$17,400	\$18,500	\$20,000	\$20,000	218	\$2,600	14.94%	\$2,600	14.94%	202	\$23,250	202	\$23,000	147	\$33,250	145	MA + 6	22	
142	Bell	\$16,500	\$18,500	\$20,000	\$20,000	218	\$3,400	20.46%	\$3,400	20.46%	135	\$26,000	135	xx	xx	\$30,500	188	BA + 40	17	
215	Berthold	\$18,300	\$20,050	\$20,650	\$20,650	190	\$2,350	12.84%	\$2,350	12.84%	204	\$22,750	204	\$23,900	109	\$32,000	155	MA + 8	30	
915	Bertrich	\$21,300	\$22,400	\$24,300	\$24,300	15	\$3,000	14.08%	\$3,000	14.08%	40	\$31,185	40	\$27,300	14	\$42,405	4	MA + 30	30	
73	Billings Co	\$18,400	\$18,400	\$22,400	\$22,400	67	\$4,000	21.74%	\$4,000	21.74%	28	\$32,300	28	\$25,700	36	\$35,600	95	MA + 16	19	N
93	Bishop-Egeland	\$18,800	\$20,750	\$22,000	\$22,000	84	\$3,200	17.02%	\$3,200	17.02%	156	\$26,150	156	\$24,000	105	\$33,100	148	MA + 8	27	N
10,399	Esmanck	\$23,376	\$24,826	\$26,000	\$26,000	2	\$2,624	11.23%	\$2,624	11.23%	24	\$32,536	24	\$30,400	1	\$50,224	2	PHD or MA + 60	27	Y
33	Burber Central*	\$19,900	\$21,200	\$22,200	\$22,200	77	\$2,400	12.12%	\$2,400	12.12%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx
797	Burdens	\$19,500	\$20,750	\$22,250	\$22,250	75	\$2,750	14.10%	\$2,750	14.10%	78	\$28,250	78	\$25,050	60	\$34,825	88	MA + 32	17	
102	Burhells	\$18,500	\$19,250	\$21,000	\$21,000	154	\$2,500	13.51%	\$2,500	13.51%	119	\$26,600	119	\$22,600	158	\$29,800	284	MA + 16	17	
425	Bowman	\$19,500	\$21,250	\$22,650	\$22,650	57	\$3,150	16.15%	\$3,150	16.15%	128	\$26,250	128	\$23,800	115	\$33,400	152	MA or BA + 45	17	Y
108	Burke Central	\$19,600	\$21,100	\$23,100	\$23,100	35	\$3,500	17.86%	\$3,500	17.86%	93	\$27,500	93	\$24,900	65	\$32,100	168	MA	19	
29	Burleigh Co Sp Ed	\$19,055	\$19,950	\$21,650	\$21,650	110	\$1,700	8.52%	\$1,700	8.52%	68	\$28,775	68	\$23,275	140	\$30,400	182	MA + 8	16	
651	Carrington	\$19,400	\$20,850	\$22,550	\$22,550	98	\$3,150	16.24%	\$3,150	16.24%	171	\$24,800	171	\$24,775	67	\$36,575	75	MA + 15 or BA + 64	22	
555	Cavalier	\$21,425	\$22,900	\$22,400	\$22,400	67	\$975	4.55%	\$975	4.55%	59	\$28,485	59	\$24,400	86	\$41,295	18	MA + 40	32	N
248	Center*	\$19,880	\$19,880	\$20,000	\$20,000	218	\$120	0.60%	\$120	0.60%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx
841	Central Cass	\$21,800	\$22,700	\$24,350	\$24,350	14	\$2,550	11.70%	\$2,550	11.70%	32	\$31,850	32	\$28,450	9	\$43,450	16	MA + 10	27	
11	Central Elementary	\$17,500	\$18,500	Lowest Salary	Lowest Salary															
288	Central Valley	\$19,350	\$20,350	\$21,750	\$21,750	103	\$2,400	12.40%	\$2,400	12.40%	15	\$33,750	15	\$24,250	95	\$39,250	57	MA	26	
324	Dakota Prairie	\$19,800	\$20,450	\$21,200	\$21,200	143	\$1,400	7.07%	\$1,400	7.07%	87	\$27,730	87	xx	xx	\$38,542	65	BA + 32	27	
1,908	Davis Lake	\$20,000	\$20,000	\$20,250	\$20,250	190	\$250	1.25%	\$250	1.25%	96	\$27,450	96	\$23,500	126	\$40,900	21	MA + 32	30	
196	Dickey-Lalornc Sp Ed	\$19,450	\$20,375	\$22,325	\$22,325	71	\$2,875	14.78%	\$2,875	14.78%	185	\$24,150	185	\$24,425	85	\$32,675	146	MA + 24	21	
2,717	Dickinson	\$18,600	\$19,200	\$20,300	\$20,300	188	\$1,700	9.14%	\$1,700	9.14%	56	\$29,800	56	\$24,766	68	\$38,265	47	MA + 16	16	Y

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Yvonne J. Lee
 Operator's Signature

10-16-03
 Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 Ent	District	00-01		01-02		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		2002-03		CI
		BA Base	BA Base	\$ Inc	% Inc	\$ Inc	% Inc	BA Lane Max	Rk 182	MA Base	Rk 182	MA Lane Max	Rk 178	Schedule Maximum	Rk 207	Large	Years	
302	Dwight Co	\$20,000	\$20,700	\$700	3.5%	\$1,700	8.2%	\$24,700	174	\$24,700	72	\$37,900	54	\$38,900	60	MA-24	25	Y
47	Dodge	\$20,075	\$20,775	\$700	3.5%	\$3,925	19.5%	\$24,900	168	\$26,400	23	\$35,500	98	\$36,700	95	MA-32	21	N
141	Drake	\$19,000	\$19,500	\$500	2.6%	\$1,700	8.7%	\$24,950	166	\$22,825	153	\$33,025	136	\$33,450	151	MA-8	25	
209	Drayton	\$20,200	\$21,400	\$1,200	5.9%	\$3,200	15.8%	\$25,000	162	\$25,800	33	\$37,800	56	\$38,400	69	MA-8	31	
523	Dunsmuir	\$21,360	\$22,560	\$1,200	5.6%	\$3,200	14.9%	\$28,060	64	\$30,060	3	\$37,060	68	\$37,060	87	MA	20	
256	ECCPEC Sp Ed	\$19,000	\$20,500	\$1,500	7.9%	\$3,820	20.1%	\$24,945	167	\$25,345	51	\$39,395	34	\$41,795	27	MA-30	26	
260	Edgeley	\$19,505	\$20,205	\$700	3.6%	\$2,200	11.2%	\$26,205	130	\$23,855	112	\$33,755	122	\$35,105	124	MA-8	25	
138	Edinburg	\$18,100	\$18,700	\$600	3.3%	\$2,050	11.3%	\$25,350	151	\$22,150	172	\$32,550	143	\$32,550	163	MA or BA-40	27	
101	Edmore	\$20,000	\$22,000	\$2,000	10.0%	\$3,500	17.5%	\$28,450	72	xx		xx		\$36,550	99	BA-48	26	
219	Eight Mile	\$19,400	\$21,000	\$1,600	8.2%	\$3,600	18.5%	\$32,498	25	\$25,388	49	\$41,601	15	\$41,601	29	MA or BA-40	21	
244	Elgin-New Leipzig	\$18,900	\$19,900	\$1,000	5.3%	\$2,560	13.5%	\$24,960	165	\$24,679	73	\$30,969	158	\$30,969	181	MA	18	
374	Ellendale	\$20,000	\$20,400	\$400	2.0%	\$1,300	6.5%	\$27,700	88	\$23,100	143	\$36,300	80	\$37,020	88	MA-16	34	N
98	Emerado	\$20,926	\$21,345	\$419	2.0%	\$1,544	7.3%	\$25,950	136	\$24,270	94	\$32,970	137	\$32,970	159	MA or BA-40	21	N
339	Enderlin	\$20,000	\$21,000	\$1,000	5.0%	\$3,000	15.0%	\$27,500	93	\$25,250	54	\$36,668	74	\$37,595	79	MA-8	20	
126	Fairmount	\$18,500	\$19,300	\$800	4.3%	\$2,900	15.6%	\$25,850	139	xx		xx		\$33,100	158	BA-40	26	N
11,095	Fargo	\$20,960	\$23,187	\$2,227	10.6%	\$3,644	17.3%	\$32,422	27	\$27,133	16	\$41,619	14	\$49,897	5	MA-45	15	
237	Fessenden-Bowdon	xx	\$19,500	\$19,500		xx		\$27,600	91	\$22,920	152	\$32,270	147	\$32,990	162	MA-16	18	
164	Foley-Sharon	\$18,500	\$20,250	\$1,750	9.5%	\$4,050	21.8%	\$31,100	41	\$25,050	61	\$33,600	125	\$34,100	138	MA-10	20	
231	Flasher	\$19,000	\$19,750	\$750	3.9%	\$2,250	11.8%	\$24,355	180	\$23,550	123	\$30,450	162	\$31,345	178	MA-8	22	
86	Fordville	\$18,600	\$19,600	\$1,000	5.4%	\$2,400	12.9%	\$24,240	183	\$23,000	147	\$30,200	164	\$30,500	184	MA-12	21	
185	Fort Totten	\$19,750	\$21,000	\$1,250	6.3%	\$1,750	8.8%	\$27,500	93	\$24,500	81	\$36,500	77	\$41,500	30	PHD	31	
136	Fl Yates	\$20,422	\$24,000	\$3,578	17.5%	\$4,378	21.4%	\$30,105	51	\$26,487	21	\$38,167	48	\$40,183	45	MA-20	26	
153	Garfield-Sheeler	\$19,055	\$20,055	\$1,000	5.2%	\$3,000	15.7%	\$25,455	148	xx		xx		\$32,055	170	BA-37	20	
369	Garrison	\$18,000	\$20,000	\$2,000	11.1%	\$4,000	22.2%	\$25,500	146	\$24,400	86	\$40,650	24	\$41,850	26	MA-20	27	
210	Glen Ulen	\$20,000	\$21,600	\$1,600	8.0%	\$3,200	16.0%	\$26,575	144	\$26,250	26	\$34,325	114	\$41,000	39	MA-8	34	Y
302	Glennburn	\$19,570	\$20,405	\$835	4.3%	\$3,178	16.2%	\$27,248	104	\$24,538	80	\$33,538	127	\$36,383	102	MA-16	25	
55	Golden Valley	\$19,100	\$21,500	\$2,400	12.6%	\$6,400	33.5%	\$27,500	93	\$28,200	10	\$36,200	82	\$36,500	101	MA-8	21	N
55	Goodrich	\$18,800	\$19,500	\$700	3.7%	\$2,203	11.7%	\$24,750	173	\$22,000	173	\$25,750	178	\$25,750	204	MA	11	
911	Grafton	\$18,500	\$19,300	\$800	4.3%	\$3,750	20.2%	\$30,750	45	\$24,575	78	\$35,575	96	\$37,125	86	MA-32	23	Y
8,008	Grand Forks	\$24,300	\$25,000	\$700	2.9%	\$1,900	7.8%	\$38,500	1	\$30,200	2	\$47,700	3	\$51,800	3	MA-30	29	
85	Grenora	\$19,500	\$20,350	\$850	4.3%	\$1,700	8.7%	\$27,200	105	xx		xx		\$29,600	195	BA-24	22	

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Yubereca d. Lee
Operator's signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Years	Cl
		BA Base	BA Base	BA Base	Rk 218	BA Base	Rk 207	BA Max	Rk 182	MA Base	Rk 178	MA Max	Rk 207	Schedule Maximum	Rk 207	Lane	Years		
341	Coags Co Central	\$18,550	\$19,600	\$21,600	154	\$21,600	172	\$2,450	13.21%	\$24,760	76	\$24,600	44	\$39,800	53	MA + 16	31		
322	GST Sp Ed	\$19,500	\$20,700	\$22,700	55	\$22,700	125	\$3,200	16.41%	\$26,375	15	\$27,250	67	\$44,025	15	MA + 32	28		
79	Hawley	\$19,000	\$21,500	\$23,350	29	\$23,350	52	\$4,350	22.89%	\$30,100	95	xx		\$30,100	190	BA	16		
328	Hankinson	\$19,100	\$20,450	\$22,750	49	\$22,750	109	\$3,650	19.11%	\$26,850	131	\$24,250	31	\$39,550	54	MA or BA + 48	31		
517	Harvey	\$18,700	\$19,500	\$21,700	105	\$21,700	55	\$3,000	16.04%	\$29,940	149	\$23,480	49	\$38,144	52	MA + 32	27	N	
257	Haiton	\$18,600	\$20,000	\$21,850	99	\$21,850	149	\$3,200	17.20%	\$25,447	30	\$26,025	71	\$38,375	70	MA + 16	22		
142	Hazelton-Muir-Bradford	\$17,800	\$19,000	\$20,800	176	\$20,800	190	\$3,000	16.85%	\$23,860	139	\$23,300	128	\$33,500	148	MA or BA + 45	31		
769	Hazen	\$20,800	\$20,800	\$21,300	134	\$21,300	123	\$500	2.40%	\$26,540	86	\$24,400	60	\$38,720	67	MA + 16	21		
171	Hebron	\$21,700	\$22,000	\$22,700	55	\$22,700	126	\$1,000	4.61%	\$26,375	31	\$25,850	86	\$35,825	114	MA	20	N	
364	Helinger	\$19,500	\$20,000	\$21,700	105	\$21,700	115	\$2,200	11.28%	\$26,650	126	\$23,500	157	\$31,600	173	MA + 10	18	N	
426	Hillsboro	\$21,400	\$24,500	\$25,650	4	\$25,650	31	\$4,250	19.85%	\$31,900	5	\$29,025	12	\$44,125	13	MA + 24	31		
145	Hope	\$19,750	\$20,400	\$21,625	111	\$21,625	153	\$1,875	9.49%	\$25,225	153	xx		\$34,325	136	BA + 48	26		
2,542	Jamestown	\$19,800	\$20,500																
318	Kennam	\$18,775	\$20,000	\$23,000	37	\$23,000	71	\$4,225	22.50%	xx	28	\$26,060	28	xx					
66	Kensal	\$17,850	\$18,700	\$20,000	218	\$20,000	173	\$2,150	12.04%	\$28,600	173	\$22,200	155	\$31,900	171	MA + 12	20	N	
365	Kildner	\$19,400	\$20,800	\$22,850	45	\$22,850	67	\$3,400	17.53%	xx	62	\$25,000	62	xx					
712	Kentred	\$19,600	\$20,500	\$22,385	70	\$22,385	48	\$2,785	14.21%	\$30,444	35	\$25,743	35	\$41,188	35	MA	24		
131	Kidm	\$22,165	\$23,162	\$25,165	6	\$25,165	67	\$3,000	13.53%	\$28,915	20	\$26,665	142	\$32,664	161	MA	17		
297	Lake Region Sp Ed	\$19,450	\$20,000	\$20,250	190	\$20,250	98	\$800	4.11%	\$27,450	98	\$23,500	126	\$40,900	21	MA + 32	30		
264	Lakota	\$18,700	\$20,000	\$21,850	98	\$21,850	162	\$3,150	16.84%	\$25,000	113	\$23,850	146	\$33,350	153	MA + 16	21	N	
363	Lakune	\$19,300	\$20,300	\$22,300	73	\$22,300	102	\$3,000	15.54%	\$27,375	102	xx		\$35,800	115	BA + 52	27		
548	Lansford Ave	xx	\$21,650	\$22,900	42	\$22,900	39	xx	xx	\$31,400	55	\$25,225	102	\$36,775	93	MA + 32 or BA + 68	21		
56	Larkin	\$18,500	\$19,500	\$21,000	154	\$21,000	183	\$2,400	12.90%	\$24,240	147	\$23,000	164	\$30,200	184	MA + 12	21		
32	Lansford	\$19,200	\$19,200	\$20,200	194	\$20,200	191	\$1,000	5.21%	\$23,800	178	\$21,800	174	\$29,800	192	MA + 8	20	N	
573	Lansone	\$20,300	\$21,500	\$22,750	49	\$22,750	62	\$2,450	12.07%	\$28,380	34	\$25,750	45	\$41,020	38	MA + 32	28	N	
186	Leeds	\$19,600	\$20,950	\$21,625	111	\$21,625	132	\$2,025	10.33%	\$26,125	191	\$24,125	84	\$36,625	98	MA + 8	25	N	
236	Lidgerwood	\$18,400	\$19,450	\$20,500	181	\$20,500	200	\$2,100	11.41%	\$23,362	200	xx		\$33,454	150	BA + 30	21		
377	Linton	\$18,500	\$20,000	\$21,500	115	\$21,500	21	\$3,000	16.22%	\$27,500	146	\$23,050	87	\$36,150	108	MA + 8	31		
662	Lisbon	\$19,500	\$20,500	\$22,500	60	\$22,500	57	\$3,000	15.38%	\$29,700	46	\$25,500	91	\$37,775	77	MA + 16	24		
89	Litchville	\$18,500	\$19,500	\$21,000	154	\$21,000	82	\$2,500	13.51%	\$28,000	126	\$23,950	161	\$32,500	165	MA + 40	21		
32	Little Point	\$16,000	\$18,500					xx	xx	xx		xx		xx					

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Yuberca d. Lee
Operator's Signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 Ent	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Years	Cl			
		BA Base	Rk 218	BA Base	Rk 218	BA Base	Rk 218	\$ Inc	% Inc	\$ Inc	% Inc	BA Max	Rk 207	MA Base	Rk 182	MA Max	Rk 178			Schedule Maximum	Rk 207	Years
51	Lone Tree	\$16,600	218	\$18,500	218	\$20,000	218	\$1,500	8.11%	\$3,310	19.53%	\$27,700	88	xx	xx	xx	xx	\$30,100	190	BA+40	28	N
228	Medlock	\$19,500	173	\$20,000	173	\$20,950	173	\$950	4.75%	\$1,450	7.44%	\$26,950	107	\$24,150	99	\$33,650	123	\$34,050	140	MA+5	20	N
3-336	Mendon	\$19,600	134	\$20,300	134	\$21,300	134	\$1,000	4.93%	\$1,700	8.67%	\$31,694	35	\$23,856	111	\$39,842	30	\$43,400	17	MA+30	23	Y
190	Mandaree	\$21,000	2	\$23,000	2	\$26,000	2	\$3,000	13.04%	\$5,000	23.81%	\$34,400	12	\$28,000	11	\$38,800	42	\$39,900	51	MA+8	20	
11	Manitowish	\$18,800	154	\$19,000	154	\$21,000	154	\$2,000	10.53%	\$2,200	11.70%	\$23,125	203	xx	xx	xx	xx	\$26,600	202	BA+36	11	N
176	Marion	\$21,165	27	\$22,224	27	\$23,424	27	\$1,200	5.40%	\$2,259	10.67%	\$32,424	26	\$25,824	32	\$40,824	22	\$42,024	25	MA+27 or BA+72	26	N
199	Maple Valley	\$20,300	45	\$21,300	45	\$22,800	45	\$1,500	7.04%	\$2,500	12.32%	\$26,650	115	\$24,000	105	\$35,050	104	\$35,050	125	MA or BA+30	26	
105	Mapleton	\$19,200	84	\$20,200	84	\$22,000	84	\$1,800	8.91%	\$2,800	14.59%	\$27,280	103	\$25,520	45	\$41,360	16	\$42,240	24	MA+15 or BA+75	19	
108	Marion	\$18,500	154	\$19,500	154	\$21,000	154	\$1,500	7.69%	\$2,500	13.51%	\$25,500	146	\$23,100	143	\$30,600	160	\$30,600	184	MA	27	
179	Max	\$19,000	181	\$19,570	181	\$20,500	181	\$930	4.75%	\$1,520	7.89%	\$25,000	162	\$22,750	155	\$34,000	116	\$34,900	172	MA+8	31	
618	Mey-Port DG	\$19,975	80	\$20,850	80	\$22,150	80	\$1,300	6.24%	\$2,175	10.89%	\$29,020	65	\$27,750	12	\$38,742	43	\$42,916	20	MA+30	19	
113	McChesky	\$19,250	70	\$20,000	70	\$20,250	70	\$250	1.25%	\$1,000	5.19%	\$31,793	34	\$21,870	177	\$33,413	130	\$33,818	143	MA+10	20	
617	McKeesco Co	\$21,140	19	\$23,600	19	\$26,600	19	\$0	0.00%	\$2,460	11.64%	\$29,440	61	\$27,642	13	\$42,262	12	\$42,262	23	MA	19	
151	Medina	\$19,000	181	\$20,000	181	\$20,500	181	\$500	2.50%	\$1,500	7.89%	\$27,625	205	xx	xx	xx	xx	\$31,850	172	BA+32	23	
21	Menomonie	\$19,300	134	\$20,300	134	\$21,300	134	\$1,000	4.93%	\$2,000	10.36%	\$30,300	49	xx	xx	xx	xx	\$32,100	158	BA+40	19	
168	Methoda	\$19,175	79	\$20,175	79	\$22,175	79	\$2,000	9.91%	\$3,000	15.65%	\$24,055	186	\$24,760	69	\$36,510	76	\$36,980	90	MA+12 or BA+64	26	
323	Midway	\$19,400	145	\$19,800	145	\$21,200	145	\$1,400	7.07%	\$1,800	9.28%	\$25,200	154	\$25,200	56	\$38,100	50	\$38,100	75	MA	30	
284	Minor	\$19,000	84	\$20,000	84	\$22,000	84	\$2,000	10.00%	\$3,000	15.79%	\$24,650	177	\$25,500	46	\$34,950	105	\$34,950	126	MA	28	
117	Minnowaukan	\$18,200	154	\$19,500	154	\$21,000	154	\$1,500	7.89%	\$2,800	15.38%	\$24,850	170	\$22,750	155	\$29,400	171	\$29,400	196	MA	20	N
6-905	Minot	\$21,850	21	\$22,800	21	\$23,900	21	\$790	3.46%	\$1,740	7.96%	\$34,913	9	\$27,129	17	\$42,718	8	\$44,606	12	MA+16	23	
238	Minto	\$20,425	48	\$21,175	48	\$22,775	48	\$1,600	7.56%	\$2,350	11.51%	\$28,400	75	xx	xx	xx	xx	\$36,250	105	BA+56	29	
248	Mohall	\$19,000	154	\$20,000	154	\$21,000	154	\$1,000	5.00%	\$2,000	10.53%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx
218	Monticore	\$18,000	188	\$18,700	188	\$20,300	188	\$1,600	8.56%	\$2,300	12.78%	\$25,700	142	\$24,900	66	\$36,900	72	\$37,300	82	MA+8	31	
116	Montpelier	\$18,400	218	\$19,700	218	\$20,000	218	\$300	1.52%	\$1,600	8.70%	\$23,900	188	xx	xx	xx	xx	\$27,475	200	BA+40	19	
284	Mont-Rouge	xx	154	\$19,800	154	\$21,000	154	\$1,200	6.06%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx
331	MR Pleasant	\$17,450	149	\$19,500	149	\$21,100	149	\$1,600	8.21%	\$3,650	20.92%	\$25,610	143	\$22,500	163	\$32,515	145	\$33,715	156	MA+16 or BA+48	25	
126	Munich	\$19,500	60	\$21,500	60	\$22,500	60	\$1,000	4.65%	\$3,000	15.38%	\$34,400	12	\$24,300	90	\$36,200	82	\$36,200	107	MA or BA+32	29	
244	Napoleon	\$18,700	73	\$20,000	73	\$22,300	73	\$2,300	11.50%	\$3,600	19.25%	\$27,700	88	\$25,300	52	\$35,200	103	\$36,700	95	MA+24	25	
25	Nash	\$19,250	94	\$19,550	94	\$22,000	94	\$2,450	12.53%	\$2,750	14.29%	\$34,500	11	xx	xx	xx	xx	\$36,100	110	BA+32	26	N
302	ND School for the Blind	\$19,635	9	\$22,886	9	\$24,886	9	\$2,000	8.74%	\$5,251	26.74%	\$35,761	5	\$28,586	6	\$42,361	10	\$46,086	6	PHD or MA+60	21	
32	ND School for the Deaf	\$19,635	9	\$22,886	9	\$24,886	9	\$2,000	8.74%	\$5,251	26.74%	\$35,761	5	\$28,586	6	\$42,361	10	\$46,086	6	PHD or MA+60	22	

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 Enr	District	00-01		01-02		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		2002-03		CI	
		BA Base	Rk 218	BA Base	Rk 218	\$ Inc	% Inc	\$ Inc	% Inc	BA Base	Rk 182	MA Base	Rk 178	MA Lane Max	Rk 178	Schedule Maximum	Rk 207		Lane
109	NE YCC	\$19,635	97	\$21,886	97	\$0	0.00%	\$2,251	11.46%	\$32,761	20	\$25,586	43	\$39,361	35	\$43,086	19	PH-D or MA + 62	23
102	Neche	\$22,050	19	\$23,600	19	\$800	3.51%	\$1,550	7.03%	\$25,645	118	\$25,300	24	\$39,350	36	\$41,120	36	MA+15 or BA+64	33
246	Medross	\$19,625	95	\$21,900	95	\$1,500	7.35%	\$2,275	11.59%	\$24,025	187	\$25,700	36	\$36,325	78	\$36,325	104	MA	26
178	Nesson	\$19,500	95	\$21,900	95	\$1,700	8.42%	\$2,400	12.31%	\$25,900	137	\$26,275	25	\$35,275	101	\$35,275	123	MA	26
224	New 8	\$20,000	175	\$20,850	175	\$0	0.00%	\$850	4.25%	\$24,875	169	\$24,300	90	\$38,025	51	\$39,500	55	BA + 57	26
199	New England	\$19,675	115	\$21,500	115	\$1,000	4.88%	\$1,825	9.28%	\$25,100	157	\$26,875	19	\$39,875	29	\$41,200	34	MA+18 or BA+90	27
397	New Rockford	\$19,650	125	\$21,450	125	\$800	3.87%	\$1,800	9.16%	\$26,650	115	\$24,900	76	\$37,700	57	\$39,100	58	MA + 20	21
354	New Salem	\$19,000	154	\$21,000	154	\$1,150	5.79%	\$2,000	10.53%	\$25,100	157	\$22,500	163	\$34,460	112	\$34,460	134	MA	30
761	New Town	\$19,900	105	\$21,700	105	\$800	3.83%	\$1,800	9.05%	\$28,300	77	\$25,000	62	\$35,450	99	\$36,000	111	MA + 8	20
79	Newburg United	\$18,000	115	\$21,500	115	\$2,000	10.26%	\$3,500	19.44%	\$28,650	70	\$24,250	95	\$35,800	87	\$36,350	103	MA + 8	22
69	North Central 28 (Rock)	\$18,600	149	\$21,100	149	\$500	2.43%	\$2,500	13.44%	\$25,100	157	\$22,350	168	\$31,550	151	\$31,550	174	MA or BA + 40	24
158	North Central 65 (Rogers)	\$20,800	31	\$23,250	31	\$1,700	7.89%	\$2,450	11.76%	\$28,200	79	\$26,250	26	\$40,175	27	\$40,175	46	MA	23
198	North Sargent	\$19,000	84	\$22,000	84	\$2,000	10.00%	\$3,000	15.79%	\$26,800	112	\$24,550	79	\$32,550	143	\$32,550	163	MA or BA + 48	21
112	North Shore	\$17,500	218	\$20,000	218	\$1,000	5.26%	\$2,500	14.29%	\$26,350	127	\$22,300	169	\$38,400	46	\$40,400	43	MA + 40	27
367	North Valley VOC	\$17,200	218	\$20,000	218	\$1,500	8.11%	\$2,800	16.28%	\$32,000	30	\$21,800	178	\$33,800	120	\$34,300	137	MA + 16	25
457	Northern Cass	\$19,525	123	\$21,475	123	\$1,300	6.44%	\$1,950	9.99%	\$26,575	121	\$25,375	50	\$35,575	96	\$36,225	106	MA + 10	25
315	Northwood	\$18,930	99	\$21,800	99	\$1,800	9.00%	\$2,870	15.16%	\$27,570	92	\$24,200	98	\$33,578	126	\$37,262	84	MA+32 or BA+80	23
519	Oakus	\$20,640	26	\$23,440	26	\$1,725	7.94%	\$2,800	13.57%	\$37,040	2	xx	xx	xx	xx	\$40,640	41	BA + 60	33
354	Oliver-Mercer Sp Ed	\$20,000	140	\$21,250	140	\$1,250	6.25%	\$1,250	6.25%	\$29,950	54	\$23,515	124	\$38,015	52	\$41,730	28	MA + 45	23
68	Oriola	\$17,120	218	\$20,000	218	\$1,500	8.11%	\$2,880	16.82%	\$23,600	196	\$21,600	181	\$29,100	173	\$30,700	183	MA+32 or BA+64	26
129	Page	\$19,600	127	\$21,400	127	\$1,200	5.94%	\$1,800	9.18%	\$24,570	176	\$23,460	133	\$33,800	119	\$34,610	132	MA + 8	23
428	Park River	\$20,200	84	\$22,000	84	\$1,150	5.52%	\$1,800	8.91%	\$35,500	7	\$23,800	115	\$37,300	66	\$37,300	82	MA	31
302	Parshall	\$18,800	125	\$21,450	125	\$1,650	9.44%	\$2,650	14.10%	\$26,300	128	\$23,475	132	\$36,315	79	\$38,855	61	MA+8 or BA+48	29
149	Pembina	\$20,500	49	\$22,750	49	\$750	3.41%	\$2,250	10.98%	\$32,200	29	\$25,450	48	\$39,100	39	\$39,800	115	MA + 16	19
18	Pelbone-Tulle	\$18,800	218	\$20,000	218	\$600	3.09%	\$1,200	6.38%	\$24,400	179	xx	xx	xx	xx	\$25,600	203	BA + 32	17
156	Pingree-Buchanan	\$18,500	154	\$21,000	154	\$1,500	7.69%	\$2,500	13.51%	\$28,000	92	\$22,650	157	\$25,650	170	\$29,650	194	MA	21
26	Piazza	\$17,000	218	\$20,000	218	\$1,000	5.26%	\$3,000	17.65%	\$29,450	60	\$21,500	182	\$30,950	159	\$31,250	179	MA + 9	22
17	Pleasant Valley	\$16,900	149	\$21,000	149	\$1,500	8.11%	\$3,100	18.34%	\$21,800	206	xx	xx	xx	xx	\$25,000	206	BA + 32	13
118	Powers Lake	\$18,100	149	\$21,100	149	\$2,000	10.47%	\$3,000	16.57%	\$23,650	195	\$22,600	158	\$31,525	152	\$31,525	175	MA or BA + 40	22
80	Rhame	\$18,500	153	\$21,050	153	\$1,050	5.25%	\$2,550	13.78%	\$25,050	160	\$22,300	169	\$31,500	153	\$31,500	176	MA	24
301	Richardson-Taylor	xx	218	\$20,000	218	\$650	3.36%	xx	xx	\$23,400	199	\$24,300	90	\$37,050	69	\$37,350	81	MA + 8	31

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Years	Cl
		BA Base	Rk 218	BA Base	Rk 218	BA Base	Rk 218	BA Max	Rk 207	BA Max	Rk 207	MA Base	Rk 182	MA Max	Rk 178	Schedule Maximum	Rk 207		
309	Richland	\$19,750	181	\$20,500	181	\$20,500	181	\$750	3.80%	\$31,800	33	\$24,100	102	\$40,485	25	\$40,485	42	MA	30
512	Richland Co VOC	\$20,150	140	\$20,700	140	\$21,250	140	\$1,100	5.46%	\$27,150	106	\$24,150	99	\$38,500	110	\$38,500	66	MA + 30	18
10	Robinson	\$19,000	37	\$20,100	37	\$23,000	37	\$4,000	21.05%	\$26,850	109	\$24,925	64	\$31,470	154	\$31,470	177	MA or BA + 40	18
192	Rhett	\$20,000	49	\$20,875	49	\$22,750	49	\$1,875	8.98%	\$28,375	76	\$25,550	44	\$33,425	129	\$34,775	130	MA + 24	22
124	Roosevelt	\$18,500	218	\$19,000	218	\$20,000	218	\$1,500	8.11%	\$23,500	198	\$22,600	158	\$26,800	177	\$26,800	201	MA	13
605	Rugby	\$18,500	154	\$20,500	154	\$21,000	154	\$500	2.64%	\$25,500	42	\$22,500	163	\$44,700	5	\$45,200	9	MA + 16	35
529	Rural Cases Co Sp Ed	\$18,975	134	\$19,900	134	\$21,300	134	\$1,400	7.04%	\$25,900	137	\$23,800	115	\$37,600	61	\$38,350	71	MA + 10	25
321	Sargent Central	\$19,000	30	\$20,650	30	\$23,300	30	\$2,650	12.85%	\$25,550	145	\$22,200	171	\$34,330	113	\$34,330	135	MA	20
152	Sawyer	\$17,600	154	\$19,000	154	\$21,000	154	\$2,000	10.53%	\$27,850	85	\$22,200	171	\$34,330	113	\$34,330	135	MA	20
176	Scranton	\$20,000	113	\$21,000	113	\$21,600	113	\$600	2.96%	\$26,100	133	\$23,100	143	\$31,200	156	\$31,200	180	MA or BA + 30	19
56	Salisbury	\$18,000	154	\$19,500	154	\$21,000	154	\$1,500	7.95%	\$27,800	86	\$22,600	158	\$29,400	171	\$29,400	196	MA	18
40	Sheldon	\$17,700	181	\$18,700	181	\$20,500	181	\$1,800	9.85%	\$25,050	160	\$21,700	180	\$28,350	175	\$28,350	198	MA + 16	20
106	Shenwood	\$17,000	181	\$18,500	181	\$20,500	181	\$2,000	10.81%	\$26,800	112	\$22,800	154	\$33,300	132	\$34,600	133	MA + 16	17
115	Shenwood	\$17,550	149	\$19,600	149	\$21,100	149	\$1,500	7.65%	\$24,600	175	\$23,500	126	\$29,800	168	\$29,800	192	MA	19
279	Shenwood Valley Sp Ed	\$18,950	143	\$20,000	143	\$21,200	143	\$1,200	6.00%	\$30,528	46	\$23,900	109	\$39,164	38	\$40,054	48	MA + 16	19
408	Shenwood Valley VOC	\$19,300	139	\$20,265	139	\$21,275	139	\$1,010	4.98%	\$33,615	16	\$23,403	135	\$39,987	28	\$39,987	50	MA + 32	14
38	Sims	\$15,100	218	\$18,500	218	\$20,000	218	\$1,500	8.11%	\$25,500	151	\$22,600	158	\$34,330	113	\$34,330	135	MA	20
153	Solen	\$19,350	132	\$20,350	132	\$21,350	132	\$1,000	4.91%	\$25,350	151	\$22,600	158	\$34,330	113	\$34,330	135	MA	20
552	Souris Valley Sp Ed	\$19,610	72	\$20,250	72	\$22,305	72	\$2,055	10.15%	\$33,611	17	\$25,651	38	\$40,657	23	\$45,949	8	PHD or MA + 60	23
257	South Heart	\$20,000	22	\$21,700	22	\$23,550	22	\$1,850	8.53%	\$28,950	66	\$24,400	86	\$38,950	59	\$38,950	59	BA + 40	28
154	South Prairie	\$19,000	95	\$20,300	95	\$21,800	95	\$1,500	7.35%	\$23,800	191	\$23,990	108	\$34,000	116	\$34,000	141	MA + 30	25
243	South Valley Sp Ec	\$18,250	115	\$19,500	115	\$21,500	115	\$2,000	10.26%	\$27,415	100	\$23,990	108	\$34,565	109	\$38,565	64	MA + 30	25
297	Southeast Area VOC	\$19,450	127	\$20,100	127	\$21,400	127	\$1,300	6.47%	\$33,100	19	\$23,000	147	\$34,700	110	\$34,700	131	BA + 32	27
278	Southern	\$18,500	154	\$20,000	154	\$21,000	154	\$1,500	8.11%	\$25,500	124	\$23,000	147	\$34,500	110	\$34,500	121	MA + 9	28
11	Spitwood	\$17,500	218	\$18,500	218	\$20,000	218	\$1,500	8.11%	\$25,200	154	\$22,600	158	\$34,330	113	\$34,330	135	MA	20
294	St John	\$19,600	35	\$20,850	35	\$22,100	35	\$2,250	10.79%	\$28,700	69	\$26,200	28	\$35,800	87	\$35,800	115	MA	25
141	St Thomas	\$19,100	84	\$19,500	84	\$20,000	84	\$2,500	12.82%	\$26,550	122	\$24,750	70	\$37,945	53	\$37,945	76	MA	30
376	Stanley	\$19,000	84	\$20,500	84	\$22,000	84	\$1,500	7.32%	\$30,500	47	\$23,800	115	\$35,800	87	\$35,800	115	MA	25
87	Stanton	\$17,500	218	\$18,500	218	\$20,000	218	\$1,500	8.11%	\$25,500	124	\$23,000	147	\$34,500	110	\$34,500	121	MA + 9	28
113	Starkweather	\$19,500	60	\$20,500	60	\$22,500	60	\$2,000	9.76%	\$36,100	4	\$24,100	102	\$37,700	57	\$38,100	73	MA + 8	35
274	Steele-Dawson	\$18,900	42	\$20,400	42	\$22,900	42	\$2,500	12.25%	\$36,900	108	\$25,300	52	\$36,800	73	\$36,800	92	MA or BA + 45	24

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Cherese J. Lee
Operator's Signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 Enr	District	00-01		01-02		02-03		00-01 to 02-03		2002-03		2002-03		2002-03		2002-03		Years	Cl		
		BA	Base	BA	Base	BA	Base	Rk	MA	Base	Rk	MA	Max	Rk	MA	Max	Rk			MA	Max
43	Staring	\$17,557	\$18,500	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,443	13.91%	\$24,350	181	\$24,350	181	\$24,350	181	207	BA+8	12	N	
207	Straburg	\$21,500	\$22,600	\$22,600	\$24,000	17	\$1,400	6.19%	\$2,500	11.53%	\$31,000	42	\$31,000	42	\$31,000	42	106	MA	25	N	
419	Sumey	\$18,200	\$19,000	\$19,000	\$20,900	174	\$1,900	10.00%	\$2,700	14.84%	\$25,400	150	\$25,400	150	\$25,400	150	123	MA+8	22		
79	Sylveston	\$17,200	\$18,500	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,800	16.28%	\$21,500	207	\$21,500	207	\$21,500	207	205	BA+32	16	Y	
110	Tappan	\$18,050	\$18,500	\$18,500	\$20,500	181	\$2,000	10.81%	\$2,450	13.57%	\$24,300	182	\$24,300	182	\$24,300	182	175	MA	31	N	
373	TCU		\$19,000	\$19,000	\$20,000	218	\$1,000	5.26%			\$23,800	191	\$23,800	191	\$23,800	191	115	MA+8	31		
481	Thompson	\$19,000	\$20,000	\$20,000	\$22,000	84	\$2,000	10.00%	\$3,000	15.79%	\$30,250	50	\$30,250	50	\$30,250	50	26	MA	31		
280	Troja	\$20,100	\$21,200	\$21,200	\$23,200	32	\$2,000	9.43%	\$1,100	15.42%	\$25,600	23	\$25,600	23	\$25,600	23	17	MA	31		
200	Turtle Lake-Mercer	\$20,500	\$22,000	\$22,000	\$23,200	32	\$1,200	5.45%	\$2,700	13.17%	\$28,425	74	\$28,425	74	\$28,425	74	93	MA+24	33		
58	Turtle-Putthone	\$18,800	\$19,600	\$19,600	\$21,500	115	\$1,900	9.69%	\$2,700	14.36%	\$34,550	10	\$34,550	10	\$34,550	10		BA+32	33	N	
46	Twin Buttes	\$18,000	\$19,000	\$19,000	\$20,000	218	\$1,000	5.26%	\$2,000	11.11%	\$27,500	93	\$27,500	93	\$27,500	93	32	MA	22		
230	Underwood	\$18,680	\$20,480	\$20,480	\$22,480	65	\$2,000	9.77%	\$3,800	20.34%	\$25,840	140	\$25,840	140	\$25,840	140	133	MA+8	20		
618	United	\$20,100	\$20,600	\$20,600	\$22,100	82	\$1,500	7.28%	\$2,000	9.95%	\$23,300	201	\$23,300	201	\$23,300	201	4	MA	31		
278	Upper Valley Sp Ed	\$19,500	\$20,150	\$20,150	\$21,600	113	\$1,450	7.20%	\$2,100	10.77%	\$28,100	81	\$28,100	81	\$28,100	81	65	MA+32	28		
158	Valley	\$19,925	\$20,775	\$20,775	\$22,125	81	\$1,350	6.50%	\$2,200	11.04%	\$34,000	14	\$34,000	14	\$34,000	14	63	MA+16	26	Y	
1,211	Valley City	\$19,700	\$21,000	\$21,000	\$22,400	67	\$1,400	6.67%	\$2,700	13.71%	\$36,288	3	\$36,288	3	\$36,288	3	7	MA+32	15		
454	Velva	\$20,000	\$21,000	\$21,000	\$22,000	37	\$2,000	9.52%	\$3,000	15.00%	\$29,965	53	\$29,965	53	\$29,965	53	54	MA+32	23		
50	Verona	\$19,900	\$20,938	\$20,938	\$22,738	54	\$1,800	8.60%	\$2,838	14.26%	\$30,863	44	\$30,863	44	\$30,863	44		BA+60	26		
1,518	Wapeton	\$18,800	\$19,450	\$19,450	\$20,100	196	\$650	3.34%	\$1,300	6.91%	\$31,479	38	\$31,479	38	\$31,479	38	81	MA+45	19	N	
314	Waukeles	\$19,500	\$21,000	\$21,000	\$22,500	60	\$1,500	7.14%	\$3,000	15.30%	\$26,100	133	\$26,100	133	\$26,100	133	92	MA+16	26		
203	Wawick	\$20,500	\$21,050	\$21,050	\$22,200	143	\$150	0.71%	\$700	3.41%	\$26,150	131	\$26,150	131	\$26,150	131	100	MA+16	28	Y	
375	Wauburn	\$20,645	\$21,645	\$21,645	\$22,495	64	\$850	3.93%	\$1,850	8.56%	\$29,190	63	\$29,190	63	\$29,190	63	104	MA+16 one BA+60	28		
5,207	West Fargo	\$20,000	\$22,957	\$22,957	\$24,250	16	\$1,283	5.63%	\$4,250	21.25%	\$33,508	18	\$33,508	18	\$33,508	18	1	MA+30	31		
179	West River Sp Ed	\$20,200	\$21,500	\$21,500	\$23,500	23	\$2,000	9.30%	\$3,300	16.34%	\$29,500	58	\$29,500	58	\$29,500	58	61	MA+15	21	N	
151	Westhope	\$17,750	\$19,250	\$19,250	\$20,750	178	\$1,500	7.79%	\$3,000	16.90%	\$25,750	141	\$25,750	141	\$25,750	141	167	MA+24 or BA+56	20	N	
145	White Shield	\$17,400	\$18,500	\$18,500	\$20,250	190	\$1,750	9.46%	\$2,850	16.38%											
49	Wildrose-Alamo	\$21,000	\$23,000	\$23,000	\$25,000	8	\$2,000	8.70%	\$4,000	19.05%	\$27,400	101	\$27,400	101	\$27,400	101	120	MA	18	N	
2,345	Williston	\$18,400	\$19,400	\$19,400	\$21,400	127	\$2,000	10.31%	\$3,000	16.30%	\$31,650	36	\$31,650	36	\$31,650	36	40	MA+16	19		
52	Willow City	\$18,300	\$19,800	\$19,800	\$21,800	99	\$2,000	10.10%	\$3,500	19.13%	\$27,920	84	\$27,920	84	\$27,920	84	118	MA	27		
308	Willmar Sp Ed	\$18,400	\$19,400	\$19,400	\$21,400	127	\$2,000	10.31%	\$3,000	16.30%	\$31,650	36	\$31,650	36	\$31,650	36	40	MA+16	19		
183	Winchester-Courtenay	\$19,000	\$19,600	\$19,600	\$21,200	143	\$1,600	8.16%	\$2,200	11.56%	\$24,455	194	\$24,455	194	\$24,455	194	64	MA	27		

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Operator's signature *Yuberead J. Lee*

Date *10-16-03*

2002-03 Salary Schedule Benchmark Statistics in Rank Order

02-03 ENR	District	00-01		01-02		02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Years	CI
		BA Base	BA Base	BA Base	BA Base	BA Lane Max	Rk 207	MA Base	Rk 182	Base Increase \$ Inc	% Inc	MA Lane Max	Rk 178	Schedule Maximum	Rk 207		
77	Wing	\$18,500	\$19,500	\$21,500	115	\$2,000	10.26%	\$3,000	16.22%	\$23,900	188	\$23,800	115	\$32,200	148	MA	22
266	Wishak	\$18,350	\$19,375	\$21,000	154	\$1,625	8.39%	\$2,650	14.44%	\$24,450	177	\$23,505	125	\$37,680	59	MA	21
60	Wolford	\$21,000	\$21,700	\$21,700	105	\$0	0.00%	\$700	3.37%	\$28,200	79	\$23,700	122	\$30,200	164	MA	21
280	Wyncore	\$19,200	\$20,650	\$22,800	45	\$2,150	10.41%	\$3,500	18.13%	\$26,850	109	\$24,300	30	\$32,850	128	MA-30 or BA-60	26
54	Yellowstone*	\$17,192	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,808	16.33%	xx	xx	\$22,500	162	xx	xx		
80	Zealand*	\$18,950	\$20,350	\$21,350	132	\$1,000	4.91%	\$2,400	12.66%	xx	xx	\$22,000	173	xx	xx		
COLUMN AVERAGES		\$18,175	\$20,373	\$21,879		\$1,668	7.31%	\$2,841	13.78%	\$27,882		\$24,538		\$35,967			21.81

Note: 00-01 salary schedule benchmark averages based on 233 education units; 01-02 averages based on 221 education units; and 02-03 averages based on 218 education units.

02-03 Lowest Salary - No Salary Schedule or Base

\$21,600	Apple Creek
\$20,761	Baldwin
\$20,000	Baldwin
\$20,000	Bowling Bulte
\$20,810	Central Elbert
\$27,100	Earl
\$20,000	Eureka
\$15,480	Fl Ransom (67%)
\$21,000	Horse Creek
\$20,500	Little Heart

02-03 Lowest Salary - No Salary Schedule or Base

\$20,000	Manning
\$21,090	Marion
\$11,215	Naughton (50%)
\$22,000	Oboron
\$30,940	Peace Garden Sp Ed
\$25,000	Region
Closed	Sakind
\$22,023	Sheets
\$22,850	Sweet Briar
\$24,855	Union

Reorganizations/Closures Effective Fall 2003
Maple Valley #4 (Maple Valley & Oriska)
Marion-Litchville #46 (Litchville & Marion)
Region - Closing end of 2002-03

Reorganizations Under Discussion
Glenburn, Lansford, Mohall, Shenwood
Anamosa, Drake, Goodrich, McCauley

YEAR-TO-YEAR STATEWIDE AVERAGE SALARY SCHEDULE BENCHMARK COMPARISONS

00-01 to 01-02	01-02 to 02-03	00-01 to 02-03
Statewide Average	Statewide Average	Statewide Average
\$ Increase (00-01 to 01-02)	\$ Increase (01-02 to 02-03)	\$ Increase (00-01 to 02-03)
% Increase (00-01 to 01-02)	% Increase (01-02 to 02-03)	% Increase (00-01 to 02-03)

BA BASE	BA LANE MAX	MA BASE	MA LANE MAX	SCHEDULE MAXIMUM	SCH MAX YEARS
\$19,175	\$24,831	\$21,710	\$32,443	\$32,871	22.88
\$20,373	\$26,362	\$23,916	\$34,211	\$34,905	23.68
\$1,198	\$1,531	\$1,306	\$1,788	\$1,934	
8.23%	5.76%	6.82%	5.45%	5.86%	
\$20,373	\$28,362	\$23,916	\$34,211	\$34,805	23.68
\$21,879	\$27,882	\$24,538	\$35,967	\$36,522	23.81
\$1,506	\$1,528	\$1,522	\$1,756	\$1,717	
7.39%	5.77%	6.81%	5.13%	4.89%	
\$19,175	\$24,831	\$21,710	\$32,443	\$32,871	22.88
\$21,879	\$27,882	\$24,538	\$35,967	\$36,522	23.81
\$2,704	\$2,951	\$2,828	\$3,524	\$3,851	
14.16%	11.84%	13.03%	10.80%	11.11%	

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

Note: Rankings adjusted for data with same number.
 Note: Columns for Schedule Minimum, Lane, Years = Data for maximum salary of the farthest right-hand lane on the salary schedule

2002-03 Salary Schedule Benchmark Statistics in Rank Order by Size District

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		2002-03	
		BA Base	BA Base	BA Base	Rk	Base	% Inc	\$ Inc	% Inc	BA Lane Max	Rk	MA Base	Rk	MA Lane Max	Rk	Schedule Maximum	Rk	Lane	Years
11,095	Fargo	\$20,950	\$23,187	\$24,604	12	\$1,417	6.11%	\$3,644	17.39%	\$32,422	27	\$27,153	16	\$41,619	14	\$49,897	5	MA + 45	15
10,389	Bismarck	\$23,376	\$24,826	\$26,000	2	\$1,174	4.73%	\$2,624	11.23%	\$32,536	24	\$30,400	1	\$50,224	2	\$53,964	2	PHD or MA + 60	27
8,008	Grand Forks	\$24,300	\$25,000	\$26,200	1	\$1,200	4.80%	\$1,900	7.82%	\$39,500	1	\$30,200	2	\$47,700	3	\$51,800	3	MA + 30	29
6,905	Minot	\$21,850	\$22,800	\$23,550	21	\$790	3.63%	\$1,740	7.96%	\$34,913	9	\$27,129	17	\$42,718	8	\$44,606	12	MA + 16	23
5,207	West Fargo	\$20,000	\$22,957	\$24,250	16	\$1,293	5.63%	\$4,250	21.25%	\$33,508	18	\$29,320	4	\$50,318	1	\$54,286	1	MA + 30	31
3,336	Mandan	\$19,600	\$20,300	\$21,300	134	\$1,000	4.93%	\$1,700	8.67%	\$31,694	35	\$23,856	111	\$39,842	30	\$43,400	17	MA + 30	23
2,717	Dickinson	\$18,600	\$19,200	\$20,300	188	\$1,100	5.73%	\$1,700	9.14%	\$29,800	56	\$24,766	68	\$38,205	47	\$40,174	47	MA + 16	16
2,542	Jamestown	\$19,800	\$20,500																
2,345	Wellsboro	\$18,400	\$19,400	\$21,400	127	\$2,000	10.31%	\$3,000	16.30%	\$31,650	36	\$25,080	58	\$38,920	40	\$41,260	32	MA + 16	19
1,906	Devils Lake	\$20,000	\$20,000	\$20,250	190	\$250	1.25%	\$250	1.25%	\$27,450	98	\$23,500	126	\$40,900	20	\$42,400	21	MA + 32	30
1,763	Belcourt	\$24,100	\$24,600	\$25,100	7	\$500	2.03%	\$1,000	4.15%	\$32,700	22	\$28,500	8	\$39,400	33	\$44,100	14	MA + 30	14
1,519	Wahpeton	\$18,800	\$19,450	\$20,100	196	\$650	3.34%	\$1,300	5.91%	\$31,479	38	\$23,338	137	\$36,252	81	\$40,005	49	MA + 45	19
1,211	Valley City	\$19,700	\$21,000	\$22,400	67	\$1,400	6.67%	\$2,700	13.71%	\$36,288	3	\$24,540	74	\$43,232	7	\$44,939	11	MA + 32	15
ENROLLMENTS - 1000+																			
02-03 AVERAGES																			
01-02 AVERAGES																			
00-01 AVERAGES																			
915	Boudier	\$21,300	\$22,400	\$24,300	15	\$1,900	8.48%	\$3,000	14.08%	\$31,185	40	\$27,330	14	\$42,405	9	\$51,045	4	MA + 30	30
911	Granton	\$18,500	\$19,300	\$22,250	75	\$2,950	15.28%	\$3,750	20.27%	\$30,750	45	\$24,575	78	\$35,575	96	\$37,125	86	MA + 32	23
841	Central Cass	\$21,800	\$22,700	\$24,350	14	\$1,550	7.27%	\$2,550	11.70%	\$31,850	32	\$28,450	9	\$43,450	6	\$43,950	16	MA + 10	27
797	Boismore	\$19,500	\$20,750	\$22,250	75	\$1,500	7.23%	\$2,750	14.10%	\$28,250	78	\$25,060	60	\$34,825	107	\$37,020	88	MA + 32	17
769	Hazen	\$20,800	\$20,800	\$21,300	134	\$500	2.40%	\$500	2.40%	\$26,540	123	\$24,400	86	\$37,620	60	\$38,720	62	MA + 16	21
761	New Town	\$19,900	\$20,900	\$21,700	105	\$800	3.83%	\$1,800	9.05%	\$28,300	77	\$25,000	62	\$35,450	99	\$36,000	111	MA + 8	20
742	Kindred	\$19,600	\$20,500	\$22,385	70	\$1,885	9.20%	\$2,785	14.21%	\$30,444	48	\$25,743	35	\$41,188	19	\$41,188	35	MA	24
662	Lisbon	\$19,500	\$20,500	\$22,500	60	\$2,000	9.76%	\$3,000	15.38%	\$29,700	57	\$25,500	46	\$35,790	91	\$37,770	77	MA + 16	24
651	Carrington	\$19,400	\$20,850	\$22,550	58	\$1,700	8.15%	\$3,150	16.24%	\$24,800	171	\$24,775	67	\$36,575	75	\$37,950	75	MA + 15 or BA + 64	22
616	May-Park CG	\$19,975	\$20,850	\$22,150	80	\$1,300	6.24%	\$2,175	10.85%	\$28,020	65	\$27,750	12	\$38,742	43	\$42,916	20	MA + 30	19
616	United	\$20,100	\$20,600	\$22,100	82	\$1,500	7.28%	\$2,000	9.95%	\$23,300	201	\$23,400	136	\$45,190	4	\$45,190	10	MA	31
617	McKenzie Co	\$21,140	\$23,600	\$23,600	19	\$0	0.00%	\$2,460	11.64%	\$29,440	61	\$27,942	13	\$42,262	12	\$42,262	23	MA	19

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Yuberca d. Lee
 Operator's Signature
 Date 10-16-03

2002-03 Salary Schedule Benchmark Statistics in Rank Order by Size District

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Schedule Maximum	Rk 207	Rk 178	Rk 207	Years
		BA Base	BA Base	BA Base	BA Base	Rk 218	\$ Inc	% Inc	\$ Inc	% Inc	BA Max	Rk 207	MA Max	Rk 182	MA Max	Rk 178	MA Max					
605	Rugby	\$18,500	\$20,500	\$21,000	\$21,000	154	\$500	2.44%	\$2,500	13.51%	\$31,000	42	\$22,500	163	\$44,700	5	\$45,200	9	MA-16	35		
573	Linnone	\$20,300	\$21,500	\$22,750	\$22,750	49	\$1,250	5.81%	\$2,450	12.07%	\$29,380	62	\$25,750	34	\$38,500	45	\$41,020	38	MA-32	28		
555	Carrilar	\$21,425	\$22,000	\$22,400	\$22,400	67	\$400	1.82%	\$975	4.55%	\$29,485	59	\$24,400	86	\$41,285	18	\$43,295	18	MA-40	32		
552	Souris Valley Sp Ed	\$19,610	\$20,250	\$22,305	\$22,305	72	\$2,695	10.15%	\$2,685	13.74%	\$33,611	17	\$25,651	38	\$40,657	23	\$45,949	8	PHD or MA-60	23		
548	Langdon Area	xx	\$21,650	\$22,900	\$22,900	42	\$1,250	5.77%	xx	xx	\$31,400	39	\$25,225	55	\$35,225	102	\$36,775	53	MA-32 or BA-68	21		
529	Rural Care Co Sp Ed	\$18,975	\$19,900	\$21,300	\$21,300	134	\$1,400	7.04%	\$2,325	12.25%	\$25,900	137	\$23,800	115	\$37,600	61	\$38,350	71	MA-10	25		
523	Dunsmuir	\$21,360	\$22,560	\$24,560	\$24,560	13	\$2,000	8.87%	\$3,200	14.98%	\$29,060	64	\$30,060	3	\$37,060	68	\$37,060	87	MA	20		
519	Oakes	\$20,640	\$21,715	\$23,440	\$23,440	26	\$1,725	7.94%	\$2,800	13.57%	\$37,040	2	xx	xx	xx	xx	\$40,640	41	BA-60	33		
517	Harvey	\$18,700	\$19,500	\$21,700	\$21,700	105	\$2,200	11.28%	\$3,000	16.04%	\$29,940	55	\$23,480	131	\$38,144	49	\$39,612	52	MA-32	27		
512	Richard Co VOC	\$20,150	\$20,700	\$21,250	\$21,250	140	\$550	2.66%	\$1,100	5.46%	\$27,150	106	\$24,150	99	\$34,500	110	\$38,500	66	MA-30	19		
481	Thompson	\$19,000	\$20,000	\$22,000	\$22,000	84	\$2,000	10.00%	\$3,000	15.79%	\$30,250	50	\$23,750	120	\$40,250	26	\$40,250	44	MA	31		
457	Northern Cass	\$19,525	\$20,175	\$21,475	\$21,475	123	\$1,300	6.44%	\$1,950	9.99%	\$26,575	121	\$25,375	50	\$35,575	96	\$36,225	106	MA-10	25		
454	Velva	\$20,000	\$21,000	\$23,000	\$23,000	37	\$2,000	9.52%	\$3,000	15.00%	\$29,985	53	\$25,200	56	\$37,900	54	\$40,770	40	MA-32	23		
429	Park River	\$20,200	\$20,850	\$22,000	\$22,000	84	\$1,150	5.52%	\$1,800	8.91%	\$35,500	7	\$23,800	115	\$37,300	66	\$37,300	82	MA	31		
426	Hillsboro	\$21,400	\$24,500	\$25,550	\$25,550	4	\$1,150	4.68%	\$4,250	19.86%	\$31,900	31	\$29,025	5	\$42,250	13	\$44,125	13	MA-24	31		
425	Bowman	\$19,500	\$21,250	\$22,650	\$22,650	57	\$1,400	6.59%	\$3,150	16.15%	\$26,250	129	\$23,800	115	\$33,400	131	\$33,400	152	MA or BA-45	17		
419	Surrey	\$18,200	\$19,000	\$20,900	\$20,900	174	\$1,900	10.00%	\$2,700	14.84%	\$25,400	150	\$23,150	142	\$33,650	122	\$34,100	138	MA-8	22		
409	Shenandoah Valley VOC	\$19,300	\$20,265	\$21,275	\$21,275	139	\$1,010	4.96%	\$1,975	10.23%	\$33,615	16	\$23,403	135	\$39,997	28	\$39,997	50	MA-32	14		
ENROLLMENTS - 400 - 999																						
92-03 AVERAGES																						
01-02 AVERAGES																						
00-01 AVERAGES																						
397	New Richmond	\$19,650	\$20,650	\$21,450	\$21,450	125	\$800	3.87%	\$1,800	9.16%	\$26,650	115	\$24,600	76	\$37,700	57	\$38,100	58	MA-20	21		
377	Linton	\$18,500	\$20,000	\$21,500	\$21,500	115	\$1,500	7.50%	\$3,000	16.22%	\$32,750	21	\$23,050	146	\$35,800	87	\$36,150	108	MA-8	31		
376	Stanley	\$19,000	\$20,500	\$22,000	\$22,000	84	\$1,500	7.32%	\$3,000	15.79%	\$30,500	47	\$23,800	115	\$35,800	87	\$35,800	115	MA	25		
375	Washburn	\$20,645	\$21,645	\$22,495	\$22,495	64	\$850	3.93%	\$1,850	8.96%	\$29,190	63	\$24,095	104	\$36,970	70	\$36,970	91	MA	26		
374	Elendale	\$20,000	\$20,400	\$21,300	\$21,300	134	\$900	4.41%	\$1,300	6.50%	\$27,700	86	\$23,100	143	\$36,300	80	\$37,020	88	MA-16	34		
373	TGU	xx	\$19,000	\$20,000	\$20,000	218	\$1,000	5.26%	xx	xx	\$23,800	191	\$23,420	134	\$34,060	115	\$35,380	122	MA-8	31		
369	Garrison	\$18,000	\$20,000	\$22,000	\$22,000	84	\$2,000	10.00%	\$4,000	22.22%	\$25,500	146	\$24,400	86	\$40,650	24	\$41,850	26	MA-20	27		
367	North Valley VOC	\$17,200	\$18,500	\$20,000	\$20,000	218	\$1,500	8.11%	\$2,800	16.28%	\$32,000	30	\$21,800	178	\$33,800	120	\$34,300	137	MA-16	25		
365	Kildear	\$19,400	\$20,900	\$22,800	\$22,800	45	\$2,000	9.62%	\$3,400	17.53%	xx	xx	\$25,000	62	xx	xx	xx	xx	xx	xx	xx	

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Yuberena J. Joo
Operator's Signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order by Size District

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03	
		BA Base	BA Base	BA Base	Rk 218	Base \$ Inc	% Inc	BA Max	Rk 207	MA Base	Rk 152	MA Max	Rk 178	Schedule Maximum	Rk 207	LA Max	Rk 178
364	Hettinger	\$19,500	\$20,000	\$21,700	105	\$1,700	8.50%	\$2,700	11.28%	\$26,650	115	\$23,500	126	\$31,600	173	MA + 10	18
363	Lafayette	\$19,300	\$20,300	\$22,300	73	\$2,000	9.85%	\$3,000	15.54%	\$27,375	102	xx	xx	\$35,800	115	BA + 52	27
354	New Salem	\$19,000	\$19,850	\$21,000	154	\$1,150	5.79%	\$2,000	10.53%	\$25,100	157	\$22,500	163	\$34,460	134	MA	30
354	Oliver-Monroe Sp Ed	\$20,000	\$20,000	\$21,250	140	\$1,250	6.25%	\$1,250	6.25%	\$23,950	54	\$23,515	124	\$41,730	28	MA + 45	23
341	Beach	\$18,600	\$19,600	\$21,500	115	\$1,900	9.69%	\$2,900	15.59%	\$26,600	119	\$24,450	84	\$34,875	128	MA + 16	22
341	Griggs Co Central	\$18,550	\$19,600	\$21,000	154	\$1,400	7.44%	\$2,450	13.21%	\$24,760	172	\$24,600	76	\$39,800	53	MA + 16	31
339	Endicott	\$20,000	\$21,000	\$23,000	37	\$2,000	9.52%	\$3,000	15.00%	\$27,500	93	\$25,250	54	\$37,595	79	MA + 8	20
331	MI Pleasant	\$17,450	\$19,500	\$21,100	149	\$1,600	8.21%	\$3,650	20.92%	\$25,610	143	\$22,500	163	\$33,215	156	MA + 16 or BA + 48	25
328	Hawkinson	\$19,100	\$20,450	\$22,750	49	\$2,300	11.26%	\$3,650	19.11%	\$26,850	109	\$24,250	95	\$39,550	54	MA or BA + 48	31
324	Dakota Prairie	\$19,800	\$20,450	\$21,200	143	\$750	3.67%	\$1,400	7.07%	\$27,730	87	xx	xx	\$38,542	65	BA + 32	27
323	Mohave	\$19,400	\$19,800	\$21,200	143	\$1,400	7.07%	\$1,800	9.28%	\$25,200	154	\$25,200	56	\$38,100	73	MA	30
322	GST Sp Ed	\$19,500	\$20,700	\$22,700	55	\$2,000	9.66%	\$3,200	16.41%	\$26,375	125	\$27,250	15	\$44,025	15	MA + 32	26
321	Sargent Central	\$19,000	\$20,650	\$23,300	30	\$2,650	12.83%	\$4,300	22.63%	\$25,550	145	xx	xx	\$37,250	85	BA + 48	26
318	Kennamore	\$18,775	\$20,000	\$23,000	37	\$3,000	15.00%	\$4,225	22.50%	xx	xx	\$26,060	29	xx	xx	xx	xx
315	Northwood	\$18,930	\$20,000	\$21,800	98	\$1,800	9.00%	\$2,870	15.16%	\$27,531	92	\$24,200	98	\$37,262	24	MA + 32 or BA + 80	23
314	Wahkiakum	\$19,500	\$21,000	\$22,500	60	\$1,500	7.14%	\$3,000	15.38%	\$26,100	133	\$24,500	81	\$36,750	94	MA + 16	26
309	Richland	\$19,750	\$20,500	\$20,500	181	\$0	0.00%	\$750	3.80%	\$31,800	33	\$24,100	102	\$40,485	42	MA	30
308	Wilkes Sp Ed	\$18,400	\$19,400	\$21,400	127	\$2,000	10.31%	\$3,000	16.30%	\$31,650	36	\$25,080	58	\$41,260	32	MA + 16	19
302	Dwight Co	\$20,000	\$20,700	\$21,700	105	\$1,000	4.83%	\$1,700	8.50%	\$24,700	174	\$24,700	72	\$39,900	60	MA + 24	25
302	Glenham	\$19,570	\$20,405	\$22,748	53	\$2,343	11.46%	\$3,178	16.24%	\$27,248	104	\$24,538	80	\$36,383	102	MA + 16	25
302	ND School for the Blind	\$19,635	\$22,886	\$24,886	9	\$2,000	8.74%	\$5,251	26.74%	\$35,761	5	\$28,596	6	\$46,058	6	PHD or MA + 60	21
302	Parshall	\$18,800	\$19,600	\$21,450	125	\$1,850	9.44%	\$2,650	14.10%	\$26,300	128	\$23,475	132	\$38,855	61	MA + 8 or BA + 48	29
301	Richardson-Taylor	xx	\$19,350	\$20,000	218	\$650	3.36%	xx	xx	\$23,400	199	\$24,300	90	\$37,350	81	MA + 8	31
297	Lake Region Sp Ed	\$19,450	\$20,000	\$20,250	190	\$250	1.25%	\$800	4.11%	\$27,650	98	\$23,500	126	\$42,400	21	MA + 32	30
297	Southwest Area VOC	\$19,450	\$20,100	\$21,400	127	\$1,300	6.47%	\$1,950	10.03%	\$33,100	19	xx	xx	\$34,700	131	BA + 32	27
294	Mohor	\$19,000	\$20,000	\$22,000	84	\$2,000	10.00%	\$3,000	15.79%	\$24,450	177	\$25,500	46	\$34,950	126	MA	28
294	Mont-Regent	xx	\$19,800	\$21,000	154	\$1,200	6.06%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx
294	St. John	\$19,600	\$20,650	\$23,100	35	\$2,250	10.79%	\$3,500	17.86%	\$28,700	69	\$26,200	28	\$35,800	115	MA	25
288	Central Valley	\$19,350	\$20,350	\$21,750	103	\$1,400	6.86%	\$2,400	12.40%	\$33,750	15	\$24,250	95	\$39,250	57	MA	26
280	Troop	\$20,100	\$21,200	\$23,200	32	\$2,000	9.43%	\$3,100	15.42%	\$32,650	23	\$25,600	40	\$41,350	31	MA	31
280	Wynborne	\$19,300	\$20,650	\$22,800	45	\$2,150	10.41%	\$3,500	18.13%	\$26,850	109	\$24,300	90	\$38,625	63	MA + 30 or BA + 60	28

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Yuberena J. Lee
Operator's Signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order by Size District

02-03 Ent	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Schedulic Maximum	Rk 207	Lane	Years
		BA Base	BA Base	BA Base	Rk 218	\$ Inc.	% Inc.	BA Max	Rk 207	MA Base	Rk 182	MA Max	Rk 178	MA Max	Rk 178						
279	Shenandoah Valley Sp Ed	\$18,950	\$20,000	\$21,200	143	\$1,200	6.00%	\$2,250	11.87%	\$30,528	46	\$23,900	109	\$38,164	38	\$40,064	48	MA + 16	19		
278	Southern	\$18,500	\$20,000	\$21,000	154	\$1,000	5.00%	\$2,500	13.51%	\$26,500	124	\$23,000	147	\$34,500	110	\$35,500	121	MA + 9	28		
278	Upper Valley Sp Ed	\$19,500	\$20,150	\$21,600	113	\$1,450	7.20%	\$2,100	10.77%	\$28,100	81	\$23,840	114	\$37,340	65	\$38,460	68	MA + 32	28		
274	Steele-Dawson	\$18,900	\$20,400	\$22,900	42	\$2,500	12.25%	\$4,000	21.16%	\$26,900	108	\$25,300	52	\$36,800	73	\$36,800	92	MA or BA + 45	24		
266	Wichitok	\$18,350	\$19,375	\$21,000	154	\$1,625	8.39%	\$2,650	14.44%	\$24,450	177	\$23,505	125	\$37,680	59	\$37,680	78	MA	21		
264	Lakota	\$18,700	\$20,000	\$21,650	96	\$1,650	9.25%	\$3,150	16.84%	\$25,000	162	\$23,850	113	\$32,400	145	\$33,350	153	MA + 16	21		
260	Edgeley	\$19,505	\$20,205	\$21,705	104	\$1,500	7.42%	\$2,200	11.28%	\$26,205	130	\$23,855	112	\$33,755	122	\$35,105	124	MA + 8	25		
258	Belfield	\$17,400	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,600	14.94%	\$23,250	202	\$23,000	147	\$33,250	134	\$33,750	145	MA + 8	22		
257	Haltom	\$18,600	\$20,000	\$21,800	99	\$1,800	9.00%	\$3,200	17.20%	\$25,447	149	\$26,025	30	\$36,966	71	\$38,375	70	MA + 16	22		
257	South Heart	\$20,000	\$21,700	\$23,550	22	\$1,850	8.53%	\$3,550	17.75%	\$28,950	66	xx	xx	xx	xx	\$38,950	59	BA + 40	29		
256	ECOFEC Sp Ed	\$15,000	\$20,500	\$22,820	44	\$2,320	11.32%	\$3,820	20.11%	\$24,945	167	\$25,345	51	\$39,895	34	\$41,795	27	MA + 30	26		
248	Center	\$19,880	\$19,880	\$20,000	218	\$120	0.60%	\$120	0.60%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	
248	Mohar	\$19,000	\$20,000	\$21,000	154	\$1,000	5.00%	\$2,000	10.53%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	
246	Nedrose	\$19,625	\$20,400	\$21,900	95	\$1,500	7.35%	\$2,275	11.59%	\$24,025	187	\$25,700	36	\$36,325	78	\$36,325	104	MA	26		
244	Edgen-New Leipzig	\$18,900	\$19,900	\$21,460	124	\$1,560	7.84%	\$2,560	13.54%	\$24,960	165	\$24,679	73	\$30,969	158	\$30,969	181	MA	18		
244	Napoleon	\$18,700	\$20,000	\$22,300	73	\$2,300	11.50%	\$3,600	19.25%	\$27,700	88	\$25,300	52	\$35,200	103	\$36,700	95	MA + 24	25		
243	South Valley Sp Ed + B47	\$18,250	\$19,500	\$21,500	115	\$2,000	10.26%	\$3,250	17.81%	\$27,415	100	\$23,960	108	\$34,555	109	\$38,565	84	MA + 30	26		
238	Metric	\$20,425	\$21,175	\$22,775	48	\$1,600	7.56%	\$2,350	11.51%	\$28,400	75	xx	xx	xx	xx	\$36,250	105	BA + 56	29		
237	Persenden-Burton	xx	\$19,500	\$21,000	154	\$1,500	7.69%	xx	xx	\$27,600	91	\$22,920	152	\$32,270	147	\$32,990	162	MA + 16	18		
236	Lindenwood	\$18,400	\$19,100	\$20,900	181	\$1,400	7.33%	\$2,100	11.41%	\$23,362	200	xx	xx	xx	xx	\$33,454	150	BA + 30	21		
231	Fisher	\$19,000	\$19,750	\$21,250	140	\$1,500	7.59%	\$2,250	11.84%	\$24,355	180	\$23,550	123	\$30,450	162	\$31,345	178	MA + 8	22		
230	Underwood	\$18,600	\$20,480	\$22,480	65	\$2,200	9.77%	\$3,800	20.34%	\$25,840	140	\$24,630	75	\$33,270	133	\$33,700	147	MA + 8	20		
223	Mackinok	\$19,500	\$20,000	\$20,950	173	\$950	4.75%	\$1,450	7.44%	\$26,950	107	\$24,150	99	\$33,650	123	\$34,050	140	MA + 5	20		
224	New B	\$20,000	\$20,850	\$20,850	175	\$0	0.00%	\$850	4.25%	\$24,875	169	\$24,300	90	\$38,025	51	\$39,500	55	BA + 57	26		
219	Eight Mile	\$19,400	\$21,000	\$23,000	37	\$2,000	9.52%	\$3,600	18.56%	\$32,498	25	\$25,388	49	\$41,501	15	\$41,501	29	MA or BA + 40	21		
218	Montefiore	\$18,000	\$19,700	\$20,300	188	\$1,600	8.56%	\$2,300	12.78%	\$25,700	142	\$24,900	65	\$36,900	72	\$37,300	82	MA + 8	31		
215	Berthold	\$18,300	\$20,350	\$20,650	180	\$600	2.99%	\$2,350	12.84%	\$22,750	204	\$23,900	109	\$32,000	150	\$33,250	155	MA + 8	30		
210	Gen Ulin	\$20,000	\$21,600	\$23,200	32	\$1,600	7.41%	\$3,200	16.00%	\$25,575	144	\$26,250	26	\$34,325	114	\$41,000	39	MA + 8	34		
209	Dayton	\$20,200	\$21,400	\$23,400	28	\$2,000	9.35%	\$3,200	15.84%	\$25,000	162	\$25,800	33	\$37,800	56	\$38,400	69	MA + 8	31		
207	Shawburg	\$21,500	\$22,600	\$24,000	17	\$1,400	6.19%	\$2,500	11.63%	\$31,000	42	\$26,450	22	\$34,850	106	\$34,850	129	MA	25		
203	Warwick	\$20,500	\$21,050	\$21,200	143	\$150	0.71%	\$700	3.41%	\$26,150	131	\$23,200	141	\$35,350	100	\$35,850	113	MA + 16 one BA + 60	28		

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Yuberena J. Lee
Operator's Signature

10-16-03
Date

2002-03 Salary Schedule Benchmark Statistics in Rank Order by Size District

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		Schedule Maximum	Rk	Lane	Year
		BA Base	BA Base	BA Base	Rk	BA Base	Rk	BA Base	Rk	BA Base	Rk	BA Base	Rk	MA Base	Rk	MA Max	Rk				
200	Turle Lake-Mercer	\$20,500	\$22,000	\$23,200	32	\$1,200	5.45%	\$2,700	13.17%	\$24,750	70	\$35,675	93	\$41,050	37	MA+24	33				
ENROLLMENTS - 200 - 399																					
02-03 AVERAGES																					
01-02 AVERAGES																					
00-01 AVERAGES																					
199	Maple Valley	\$20,300	\$21,300	\$22,800	45	\$1,500	7.04%	\$2,500	12.32%	\$24,000	105	\$35,050	104	\$35,050	125	MA or BA + 30	26				
199	New England	\$19,675	\$20,500	\$21,500	115	\$1,000	4.88%	\$1,825	9.26%	\$26,875	19	\$39,875	29	\$41,200	34	MA+18 or BA+90	27				
198	North Sargent	\$19,000	\$20,000	\$22,000	84	\$2,000	10.00%	\$3,000	15.79%	\$24,550	79	\$32,550	143	\$32,550	163	MA or BA + 48	21				
196	Dickey-Lalmore Sp Ed	\$19,450	\$20,375	\$22,325	71	\$1,950	9.57%	\$2,875	14.78%	\$24,125	101	\$36,125	84	\$36,125	98	MA + 8	25				
192	Rokite	\$20,000	\$20,875	\$22,750	49	\$1,875	8.98%	\$2,750	13.75%	\$28,000	11	\$38,800	42	\$38,800	51	MA + 8	20				
190	Mandaree	\$21,000	\$23,000	\$26,000	2	\$3,000	13.04%	\$5,000	23.81%	\$24,125	101	\$36,125	84	\$36,125	98	MA + 8	25				
188	Leeds	\$19,600	\$20,950	\$21,625	111	\$675	3.22%	\$2,025	10.33%	\$26,800	112	\$36,800	112	\$36,800	119	MA	30				
185	Ashley	\$19,200	\$20,200	\$22,000	84	\$1,800	8.91%	\$2,800	14.58%	\$24,500	81	\$36,500	77	\$41,500	30	PHD	31				
185	Fl Trolan	\$19,750	\$21,000	\$21,500	115	\$900	2.88%	\$1,750	8.86%	\$27,500	93	\$36,500	77	\$41,500	30	PHD	31				
179	Max	\$19,000	\$19,570	\$20,500	181	\$930	4.75%	\$1,500	7.89%	\$25,000	162	\$35,000	94	\$35,000	119	MA	30				
179	Hasson	\$19,500	\$20,200	\$21,900	95	\$1,700	8.42%	\$2,400	12.31%	\$25,275	25	\$35,275	101	\$35,275	123	MA	26				
179	West River Sp Ed	\$20,200	\$21,500	\$23,500	23	\$2,000	9.35%	\$3,300	16.34%	\$25,600	40	\$37,600	61	\$38,200	72	MA + 15	21				
176	Manvel	\$21,165	\$22,224	\$23,424	27	\$1,200	5.40%	\$2,258	10.67%	\$25,824	32	\$40,824	22	\$42,074	25	MA+27 or BA+72	26				
176	Scranton	\$20,000	\$21,000	\$21,800	113	\$600	2.86%	\$1,600	8.00%	\$26,100	143	\$31,200	156	\$31,200	180	MA or BA + 30	19				
171	Hebron	\$21,700	\$22,000	\$22,700	55	\$700	3.18%	\$1,000	4.61%	\$26,375	126	\$35,625	86	\$35,625	114	MA	20				
168	Malinda	\$19,175	\$20,175	\$22,175	79	\$2,000	9.91%	\$3,000	15.65%	\$24,055	186	\$36,510	76	\$36,510	90	MA+12 or BA+64	26				
164	Finley-Sharon	\$18,500	\$20,250	\$22,550	58	\$2,300	11.36%	\$4,050	21.89%	\$31,100	41	\$33,600	125	\$34,100	138	MA + 10	20				
163	Wimbledon-Courtenay	\$19,000	\$19,600	\$21,200	143	\$1,600	8.16%	\$2,200	11.58%	\$23,700	194	\$37,455	64	\$37,455	80	MA	27				
158	North Central 65 (Rogers)	\$20,800	\$21,550	\$23,250	31	\$1,700	7.89%	\$2,450	11.78%	\$28,200	79	\$40,175	27	\$40,175	46	MA	23				
158	Valley	\$19,925	\$20,775	\$22,125	81	\$1,350	6.50%	\$2,200	11.04%	\$34,000	14	\$37,500	53	\$38,500	66	MA + 16	26				
156	Phogee-Buchanan	\$18,500	\$19,500	\$21,000	154	\$1,500	7.89%	\$2,500	13.51%	\$28,000	82	\$34,000	116	\$34,000	141	MA + 30	25				
154	South Prairie	\$19,000	\$20,300	\$21,800	99	\$1,500	7.39%	\$2,800	14.74%	\$23,800	191	\$34,000	116	\$34,000	141	MA + 30	25				
153	Gardner-Shawler	\$19,055	\$20,055	\$22,055	83	\$2,000	9.97%	\$3,000	15.74%	\$26,455	148	\$35,455	108	\$35,455	120	MA + 8	24				
153	Solen	\$19,350	\$20,350	\$21,350	132	\$1,000	4.91%	\$2,000	10.34%	\$25,350	151	\$34,800	108	\$34,800	120	MA + 8	24				
152	Smyer	\$17,600	\$19,000	\$21,000	154	\$2,000	10.53%	\$3,400	19.32%	\$27,850	85	\$34,300	113	\$34,300	135	MA	20				
151	Medina	\$19,000	\$20,000	\$20,500	181	\$500	2.50%	\$1,500	7.89%	\$22,625	205	\$31,850	172	\$31,850	172	BA + 32	23				

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2002-03 Salary Schedule Benchmark Statistics in Rank Order by Size District

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		2002-03		Rk 207	Rk 178	Rk 207	Rk 178	Schedule Maximum	Rk 207	Lane	Years
		BA Base	BA Base	BA Base	BA Base	Rk 218	Rk 218	Base \$ Inc	% Inc	Base \$ Inc	% Inc	MA Base	Rk 182	MA Max	MA Max	MA Max	MA Max	MA Max	MA Max								
151	Westhope	\$17,750	\$19,250	\$20,750	178	\$1,500	7.3%	\$3,000	16.9%	\$21,950	176	\$25,750	141	\$29,950	167	\$32,350	166	MA-24 or BA-55	20								
149	Pembina	\$20,500	\$22,000	\$22,750	49	\$750	3.4%	\$2,250	10.9%	\$25,450	48	\$32,200	29	\$39,100	39	\$35,800	115	MA-15	19								
145	Hope	\$19,750	\$20,400	\$21,625	111	\$1,225	6.0%	\$1,875	9.4%	\$25,225	153	\$25,225	153	xx	xx	\$34,325	136	BA-48	26								
145	White Shield	\$17,400	\$18,500	\$20,250	190	\$1,750	9.4%	\$2,850	16.3%	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx	xx
142	Bell	\$16,600	\$18,500	\$20,000	218	\$1,500	8.1%	\$3,400	20.4%	xx	xx	\$26,000	135	xx	xx	\$30,500	188	BA-40	17								
142	Hazlet-Miller-Bradlock	\$17,800	\$19,000	\$20,800	176	\$1,800	9.4%	\$3,000	16.8%	\$23,300	139	\$23,860	190	\$33,500	128	\$33,500	148	MA or BA-45	31								
141	Drake	\$19,000	\$19,500	\$20,700	179	\$1,200	6.1%	\$1,700	8.9%	\$22,825	153	\$24,950	166	\$33,025	136	\$33,450	151	MA-8	25								
141	St Thomas	\$19,100	\$19,500	\$22,000	84	\$2,500	12.8%	\$2,900	15.1%	\$24,750	70	\$26,550	122	\$37,945	53	\$37,945	76	MA	30								
138	Edinburg	\$18,100	\$18,700	\$20,150	195	\$1,450	7.7%	\$2,050	11.3%	\$22,150	172	\$25,350	151	\$32,550	143	\$32,550	163	MA or BA-40	27								
135	FLYales	\$20,422	\$24,000	\$24,800	11	\$800	3.3%	\$4,378	21.4%	\$26,497	21	\$30,105	51	\$38,157	48	\$40,183	45	MA-20	26								
131	Kulm	\$22,165	\$23,162	\$25,165	6	\$2,003	8.6%	\$3,000	13.5%	\$28,915	67	\$28,915	67	\$32,664	142	\$32,665	161	MA	17								
129	Page	\$19,600	\$20,200	\$21,400	127	\$1,200	5.9%	\$1,800	9.1%	\$24,570	176	\$24,570	176	\$33,890	119	\$34,610	132	MA-8	23								
126	Fairmount	\$18,500	\$19,300	\$21,400	127	\$2,100	10.8%	\$2,900	15.6%	\$25,850	139	\$25,850	139	xx	xx	\$33,100	158	BA-40	26								
126	Manich	\$19,500	\$21,500	\$22,500	60	\$1,000	4.6%	\$3,000	15.3%	\$34,400	12	\$34,400	12	\$36,200	82	\$36,200	107	MA or BA-32	29								
124	Roosevelt	\$18,500	\$19,000	\$20,000	218	\$1,000	5.2%	\$1,500	8.1%	\$23,500	198	\$23,500	198	\$26,800	177	\$26,800	201	MA	13								
118	Powers Lake	\$18,100	\$19,100	\$21,100	149	\$2,000	10.4%	\$3,000	16.5%	\$22,600	198	\$22,600	198	\$31,525	152	\$31,525	175	MA or BA-40	22								
117	Minnetonka	\$18,200	\$19,500	\$21,000	154	\$1,500	7.6%	\$2,800	15.3%	\$24,850	170	\$24,850	170	\$29,400	171	\$29,400	196	MA	20								
116	Montpelier	\$18,400	\$19,700	\$20,000	218	\$300	1.5%	\$1,600	8.7%	\$3,900	188	\$3,900	188	xx	xx	\$27,475	200	BA-40	19								
115	Shenandoah	\$17,550	\$19,600	\$21,100	149	\$1,500	7.6%	\$3,550	20.2%	\$24,600	175	\$24,600	175	\$29,800	168	\$29,800	192	MA	19								
113	McClusky	\$19,250	\$20,000	\$20,250	190	\$250	1.2%	\$1,000	5.1%	\$31,793	34	\$31,793	34	\$33,413	130	\$33,413	143	MA-10	20								
113	Starweather	\$19,500	\$20,500	\$22,500	60	\$2,000	9.7%	\$3,000	15.3%	\$24,100	102	\$24,100	102	\$37,700	57	\$38,100	73	MA-8	35								
112	North Shore	\$17,500	\$19,000	\$20,000	218	\$1,000	5.2%	\$2,500	14.2%	\$26,350	127	\$26,350	127	\$38,400	46	\$40,400	43	MA-40	27								
110	Trappan	\$18,050	\$18,500	\$20,500	181	\$2,000	10.8%	\$2,450	13.5%	\$24,300	182	\$24,300	182	\$27,300	176	\$28,100	199	MA	31								
109	ND YCC	\$19,635	\$21,886	\$21,886	97	\$0	0.0%	\$2,251	11.4%	\$32,761	20	\$32,761	20	\$39,361	35	\$43,086	19	PHD or MA-52	23								
108	Burke Central	\$19,600	\$21,100	\$23,100	35	\$2,000	9.4%	\$3,500	17.8%	\$27,500	93	\$27,500	93	\$32,100	149	\$32,100	168	MA	19								
108	Manon	\$18,500	\$19,500	\$21,000	154	\$1,500	7.6%	\$2,500	13.5%	\$25,500	146	\$25,500	146	\$30,600	160	\$30,600	184	MA	27								
106	Sherwood	\$17,000	\$18,500	\$20,500	181	\$2,000	10.8%	\$3,500	20.5%	\$26,800	112	\$26,800	112	\$33,300	132	\$34,500	133	MA-16	17								
105	Mapleton	\$19,200	\$20,200	\$22,000	84	\$1,800	8.9%	\$2,800	14.5%	\$27,280	103	\$27,280	103	\$41,360	16	\$42,240	24	MA-15 or BA-75	19								
102	Bowbells	\$18,500	\$19,250	\$21,000	154	\$1,750	9.0%	\$2,500	13.5%	\$26,600	119	\$26,600	119	\$29,800	168	\$30,600	184	MA-16	17								
102	Neché	\$22,050	\$22,800	\$23,600	19	\$800	3.5%	\$1,550	7.0%	\$26,645	118	\$26,645	118	\$39,350	36	\$41,120	36	MA-15 or BA-64	33								
101	Edmore	\$20,000	\$22,000	\$23,500	23	\$1,500	6.8%	\$3,500	17.5%	\$28,450	72	\$28,450	72	xx	xx	\$36,550	99	BA-48	26								

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10-16-03
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2002-03 Salary Schedule Benchmark Statistics in Rank Order by Size District

02-03 Enr	District	00-01		01-02		2002-03		01-02 to 02-03		00-01 to 02-03		2002-03		2002-03		2002-03		2002-03	
		BA Base	BA Base	BA Base	BA Base	Rk 218	\$ Inc.	% Inc.	BA Max	Rk 207	MA Base	Rk 182	MA Max	Rk 178	Schedule Maximum	Rk 207	Lane	Y 2002-03	
98	Emery	\$20,926	\$21,345	\$22,470	\$66	\$1,125	5.27%	\$1,544	7.38%	\$25,950	136	\$32,970	137	\$32,970	159	MA or BA + 40	21		
93	Bishop-Egeland	\$18,800	\$20,750	\$22,000	84	\$1,250	6.02%	\$3,200	17.02%	\$25,150	156	\$33,100	135	\$33,100	148	MA + 8	27		
91	Adams	\$18,100	\$22,000	\$23,500	23	\$1,500	6.82%	\$5,400	29.83%	\$28,450	72	xx	xx	xx	99	BA + 48	26		
89	Litchville	\$18,500	\$19,500	\$21,000	154	\$1,500	7.69%	\$2,500	13.51%	\$28,000	82	\$30,500	161	\$30,500	165	MA + 40	21		
87	Clinton	\$17,500	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,500	14.29%	xx	xx	xx	xx	xx	xx	xx	xx	xx	
86	Footville	\$18,500	\$19,500	\$21,000	154	\$1,400	7.14%	\$2,400	12.90%	\$24,240	183	\$30,200	164	\$30,200	184	MA + 12	21		
85	Anacostee	\$18,700	\$19,500	\$20,800	176	\$1,300	6.57%	\$2,100	11.23%	\$23,600	196	\$32,675	140	\$32,675	160	MA	22		
80	Alexander	\$18,800	\$19,000	\$22,200	77	\$3,200	16.84%	\$3,400	18.09%	\$35,350	8	\$36,125	84	\$36,125	109	MA	25		
80	Rhame	\$18,500	\$20,000	\$21,050	153	\$1,050	5.25%	\$2,550	13.78%	\$25,050	160	\$31,500	153	\$31,500	176	MA	24		
79	Holiday	\$19,000	\$21,500	\$23,350	29	\$1,650	8.60%	\$4,350	22.89%	\$30,100	52	xx	xx	xx	190	BA	16		
79	Newburg United	\$18,000	\$19,500	\$21,500	115	\$2,000	10.26%	\$3,500	19.44%	\$28,650	70	\$35,800	87	\$35,800	103	MA + 8	22		
79	Sylvester	\$17,200	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,800	16.28%	\$21,500	207	xx	xx	xx	205	BA + 32	16		
77	Wing	\$18,500	\$19,500	\$21,500	115	\$2,000	10.26%	\$3,000	16.22%	\$23,900	188	\$32,200	148	\$32,200	167	MA	22		
73	Bairds Co	\$18,400	\$18,400	\$22,400	67	\$4,000	21.74%	\$4,000	21.74%	\$32,300	28	\$35,600	94	\$35,600	95	MA + 16	19		
69	North Central 28 (Rock)	\$18,600	\$20,600	\$21,100	149	\$500	2.43%	\$2,500	13.44%	\$25,100	157	\$31,550	151	\$31,550	174	MA or BA + 40	24		
68	Oriska	\$17,120	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,800	16.82%	\$23,600	196	\$29,100	173	\$29,100	183	MA + 32 or BA + 64	26		
66	Kearl	\$17,850	\$18,700	\$20,000	218	\$1,300	6.96%	\$2,150	12.04%	\$28,600	71	\$31,400	155	\$31,400	171	MA + 12	20		
65	Greene	\$19,500	\$20,350	\$21,200	143	\$850	4.18%	\$1,700	8.72%	\$27,200	105	xx	xx	xx	195	BA + 24	22		
60	Welford	\$21,000	\$21,700	\$21,700	105	\$0	0.00%	\$700	3.33%	\$28,200	79	\$30,200	164	\$30,200	189	MA	21		
60	Zeland	\$18,950	\$20,350	\$21,350	132	\$1,000	4.91%	\$2,400	12.66%	xx	xx	xx	xx	xx	xx	xx	xx	xx	
58	Selfridge	\$18,000	\$19,500	\$21,000	154	\$1,500	7.69%	\$3,000	16.67%	\$27,800	86	\$29,400	171	\$29,400	196	MA	18		
58	Trotter-Pullbone	\$18,800	\$19,600	\$21,500	115	\$1,900	9.69%	\$2,700	14.36%	\$34,550	10	xx	xx	xx	157	BA + 32	33		
56	Larkin	\$18,600	\$19,600	\$21,000	154	\$1,400	7.14%	\$2,400	12.90%	\$24,240	183	\$30,200	164	\$30,200	184	MA + 12	21		
55	Golden Valley	\$19,100	\$21,500	\$25,500	5	\$4,000	18.60%	\$6,400	33.51%	\$27,500	93	\$36,200	82	\$36,200	101	MA + 8	21		
55	Goodrich	\$18,800	\$19,500	\$21,000	154	\$1,500	7.69%	\$2,200	11.70%	\$24,750	173	\$25,750	178	\$25,750	204	MA	11		
54	Yellowstone*	\$17,192	\$18,500	\$20,000	218	\$1,500	8.11%	\$2,808	16.33%	xx	xx	xx	xx	xx	xx	xx	xx	xx	
52	Willow City	\$18,300	\$19,800	\$21,800	99	\$2,000	10.10%	\$3,500	19.13%	\$27,920	84	\$33,980	118	\$33,980	142	MA	27		
51	Lone Tree	\$16,690	\$18,500	\$20,000	218	\$1,500	8.11%	\$3,310	19.83%	\$27,700	88	xx	xx	xx	190	BA + 40	28		
50	Vernon	\$19,900	\$20,938	\$22,738	54	\$1,800	8.60%	\$2,838	14.26%	\$30,863	44	xx	xx	xx	154	BA + 60	26		
49	Wilkes-Barre	\$21,000	\$23,000	\$25,000	8	\$2,000	8.70%	\$4,000	19.05%	\$27,400	101	\$33,800	120	\$33,800	144	MA	18		
47	Dodge	\$20,075	\$20,775	\$24,000	17	\$3,225	15.52%	\$3,925	19.55%	\$24,900	168	\$35,500	96	\$35,500	95	MA + 32	21		

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10-16-03
Date

Testimony on SB 2154
By
Dr. Larry A. Klundt—NDCEL

Mr. Chairman and members of the Committee, my name is Larry Klundt and I am the executive director of the North Dakota Council of Educational Leaders and I am here to support SB 2154 with some significant changes that I will point out as I go along.

Per Pupil Payments

The bill as it stands recommends a first year payment of \$2,430 and a second year payment of \$2,528. This results in an increase of \$83 the first year and \$98 the second year of the biennium. The NDCEL believes that the amounts for the per pupil payments should be significantly higher. We believe that the first year payment should be \$2,700, which is an increase of \$353 the first year, and the second year payment should be \$3,000, an increase of \$300 the second year. This would necessitate approximately \$108,000,000 more for foundation aid than was appropriated in 2001, assuming that the per pupil payment will go up about \$9.25 for each \$1 million that is placed into foundation aid.

Weighted Factors

This bill proposes that the current weighted factors be set at 85 percent of the difference between the statutory weighted factor and the five-year average cost in each enrollment category the first year and 100 percent the second year of the biennium. The NDCEL believes that we should not be using the five-year average, but simply use the average cost for the last year of the previous biennium. In

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addition, we believe that the lowest cost per pupil of all the enrollment categories should be at a factor of 1.0. That way no student in North Dakota would be worth less than one full foundation aid payment. The other factors should be weighted, based on the additional cost above the cost that created the factor of 1.0. For example, for 2002-03, the lowest weighted factor is for an elementary school, grades 1-6, with an enrollment of 100 or more students. This could be set at 1.0 and the rest of the categories would be weighted, based on costs, in relation to their cost and the cost of grades 1-6 with an enrollment of 100 or more.

Supplemental Payments

The NDCEL is in support of the current formula that is used in determining supplemental payments, however, the amount appropriated should be increased from the current \$2.2 million to at least \$10 million. *to deal w equity issue*

Compensation for Teachers

The NDCEL believes that the teacher compensation program should and must be sustained at its current level. We also believe that the dollars it takes to do this are not new dollars for 2003-05, as it is a cost from the previous biennium that has not been paid for yet. The 2003 Legislature should not appropriate any further funds into this program and if they find "new" money, it all should be put into foundation aid.

The NDCEL believes that all teachers should receive significant increases in salary and that a \$108 million increase in foundation aid would go a long way toward that end.

Thank you for your consideration and support of K-12 education and I will try to answer your questions.

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Dan Huffman
Fargo

SB 2154

58th North Dakota Legislative Assembly
Senate Education Committee
SB 2154

Senate Bill 2154 establishes the weighting factors, per pupil payments, and teacher compensation formula factors for 2003-2005. Combined with the proposed increase in the mill deduct, our school district would see a substantial decrease in our foundation aid payment. We have limited ability to meet this decrease with other resources.

In addition, SB 2154 proposes increases in the teacher compensation formula. Teacher salaries, like the salaries of other personnel in school districts needs to increase. However, there are other expenditure commitments that school districts must also address. General funding for schools can not decrease, with funding for teacher salaries being the only funding that increases. A more comprehensive discussion of school funding needs to be completed before the final formula components are decided this session.

In addition, the teacher compensation formula contains some language that needs to be addressed. 15.1-27-37 part 3 provides reduced payment amounts for teachers in their first, second, third, and fourth years of teaching in the state. This language needs to be eliminated. As districts, we do not have separate salary schedules for these teachers. Once the salary schedule is established, a teacher is paid from the schedule, regardless of whether the experience is earned in state or out of state. Our cost is the same, the payment should be the same.

In addition, we talk about the need to encourage people to come back to the state, yet school districts are penalized if they are successful in hiring a teacher from out of state by providing a reduced payment for that teacher. Districts should probably receive an increased payment for teachers hired from out of state, not a reduced payment.

Consideration of these changes should be part of the discussion of education funding if increases in teacher compensation are going to be part of the outcome of this session.

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SB2154

Senator Flakoll

2-5-03

Minimum base salaries.

Eureka 20,000
Sheets 20,007
Montpeller 20,325
Wahpeton 20,436
Plaza 20,450
Valley City 20,448
Stanton 20,500

Richland 20,570
Bakker 20,761
Lone Tree 20,700
Devils Lake 20,850
Tappen 20,900
Lidgerwood 20,977

Mott-Regent 21,000
Richardton-Taylor 21,010
Baldwin 21,050
Marmouth 21,090
Simms 21,148
Pleasant Valley 21,200
Pingree-Buchanan 21,350
Bowbells 21,350
Sterling 21,370
McCluskey 21,465
Sawyer 21,480
Hazleton-Moffit-Braddock 21,480
Little Heart 21,500
Southern 21,500

Mt. Pleasant 21,510
Warwick 21,655
Oriska 21,700
Hettinger 21,700
Lankin 21,720
Goodrich 21,750
North Central 21,750
Sheyenne 21,800
Roosevelt 21,800
Mohall 21,800
Mandan 21,811
Tuttle-Pettibone 21,825
Dickinson 21,883
Max 21,850
Rhame 21,850
New Rockford 21,850
Northern Cass 21,900
Surry 21,900
Montefiore 21,900
Flasher 21,940
Maddock 21,950

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Jerry Coleman
Supplemental Revenue Payments History

2-5-03
SB 2154

Revised 01/31/03		1997-98 Supp	1998-99 Supp	1999-00 Supp	2000-01 Supp	2001-02 Supp	2002-03 Supp	2003-04 Supp
District		Pmt						
01013	Hettinger 18				452.06			
02002	Valley City 2	51,366.10	38,746.62	40,802.35	34,502.68	32,387.31	33,313.02	45,023.41
05001	Bottineau 1	5,066.79	5,634.03	11,999.20	13,956.04	18,992.26	22,992.44	32,043.83
06001	Bowman 6					2,866.43	2,272.83	
08001	Bismarck 1	184,842.50	176,417.79	176,066.39	147,632.91	199,328.67	192,477.60	307,742.14
09006	West Fargo 6	11,297.59						
09017	Central Cass							2,817.09
09097	Northern Cass							
11041	Oakes 41						1,050.88	
14001	New Rockford 1			3,450.79	2,973.58	1,651.27		
14012	Sheyenne 12	482.23		1,183.99	1,568.07	2,337.36		
16010	Carrington 10				298.22			
17003	Beach 3						5,991.33	
18001	Grand Forks 1	348,635.19	412,437.84	336,200.91				
18044	Larimore 44	1,140.69	3,416.74		379.40	7,779.55	9,942.11	16,161.12
18061	Thompson 61	5,728.45	14,658.17	9,772.21	11,128.41	8,544.24	9,260.15	8,320.16
23008	LaMoure 8				729.82	1,840.42	1,422.95	523.74
25001	Velva 1	742.71	904.62	65.66				
28001	Montefiore 1	448.32	2,110.58	2,965.55	6,919.33	8,712.05		
28004	Washburn 4	6,366.35	134.58					
28008	Underwood 8	2,917.11	1,931.18					
28085	White Shield 85		4,579.10	14,308.86	14,307.76		15,468.24	
29003	Hazen 3	73,111.40	65,042.59	65,403.94	48,336.05	58,640.65	50,747.29	70,390.89
29027	Beulah 27	34,301.14	44,362.86	44,272.62	40,878.15	25,158.76	28,176.05	52,238.33
30001	Mandan 1	43,867.72	40,701.18	42,948.46	54,466.51	46,335.18	41,011.89	74,615.93
30007	New Salem 7	566.63	1,038.17	3,615.44	4,656.41	2,933.06	3,552.79	8,572.76
30039	Flasher 39	236.88	2,479.97	3,568.04	4,022.44	3,131.92	1,868.75	1,999.80
30042	Stanley 2	485.31						
301003	Parshall 3			5,800.15			9,490.03	
33018	Center 18	1,238.06	868.34			2,181.26		
34006	Cavaller 6						973.10	
36001	Devils Lake 1	73,954.34	64,952.01	66,553.78	77,676.29	100,314.86	106,928.77	152,246.73
37019	Lisbon 19	5,438.68	10,810.31	9,276.66	14,974.30	15,389.26	2,552.75	10,397.86
39008	Hankinson 8	3,152.09	1,417.62	2,805.45	1,776.70	692.39		
39028	Lidgerwood 28				593.61			
39037	Wahpeton 37	18,185.32	18,632.66	14,238.31	12,870.06	18,466.97	26,997.27	38,685.12
40003	St John 3		9,412.11	20,050.83	15,513.88			
40004	Mt Pleasant 4		1,394.62	1,797.56	1,889.30	2,068.54	6,903.51	8,448.35
40029	Rolette 29						910.49	
41002	Minor 2	3,336.01	2,440.48	2,090.72	5,058.20			835.14
45001	Dickinson 1	119,029.02	98,479.54	99,640.51	98,877.38	110,706.56	108,231.82	102,930.58
45009	S Heart 9	8,892.36	6,172.36	2,566.88	509.16			
45013	Belfield 13	7,596.93	2,778.07	6,028.58			6,932.28	4,041.58
47001	Jamestown 1	77,287.15	72,482.25	65,062.80	56,695.44	70,806.83	71,802.02	115,098.41
48008	Southern 8				483.37		161.93	222.21
49007	Hatton 7						260.46	
50003	Grafton 3	38,860.65	46,728.34	46,372.49	54,535.12	56,021.54	51,640.79	61,473.47
50078	Park River 78	1,653.43	3,376.24	3,234.88	1,308.83	2,355.86	3,688.47	4,252.69
50106	Edinburg 106	1,001.76		2,406.24	4,404.45	2,054.76		1,017.25
51001	Minot 1	157,864.62	142,766.88	128,317.35	150,099.35			
51007	United 7						4,692.41	
51016	Sawyer 16		375.84	421.16				
51041	Surrey 41		5,426.31	18,386.39	20,484.77	30,397.75	23,511.55	33,119.35
52038	Harvey			390.70	35.21			
01	Williston 1	258,688.08	251,014.01	250,322.57	269,777.80	265,267.68	257,410.74	392,985.43
02	Nesson 2	94.37						
	Statewide	1,545,874.98	1,554,125.01	1,504,388.22	1,174,773.06	1,097,383.39	1,102,616.61	1,546,203.17

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10-16-03
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Exhibit 1

**TESTIMONY ON ENGROSSED SENATE BILL NO. 2154
SENATE APPROPRIATIONS COMMITTEE
FEBRUARY 12, 2003**

Good morning Chairman Holmberg and members of the Senate Appropriations Committee. I am Joe Morrisette, Assistant Executive Budget Analyst with the Office of Management and Budget. I am here to testify in support of Engrossed Senate Bill No. 2154 and request your consideration of amendments to return certain sections of the bill to the form introduced by the Office of Management and Budget. The Office of Management and Budget introduced senate Bill No. 2154 in support of the executive budget recommendation for state school aid and teacher compensation payments.

I will briefly explain each section of the bill and the Senate Education changes to the executive recommendation:

Section 1 of the engrossed bill increases per student payments by 6.4 percent the first year of the 2003-05 biennium and by 3.7 percent the second year. The executive recommendation proposed per student payment increases of 3.5 percent the first year of the biennium and 4 percent the second year. The additional increase in per student payments included in the engrossed bill is accomplished by eliminating the recommended increase in the teacher compensation program. The Senate Education version includes only enough funding to maintain teacher payments at the current rate of \$3,000, eliminating the recommended increase to \$3,500 the first year and \$4,500 the second year. **The Governor's Office requests that funding be restored to increase teacher compensation payments, continuing the progress made during the current biennium to improve teacher salaries.**

As included in the original bill and recommended by the Governor, sections 2 and 3 of the bill adjust weighting factors from the arbitrarily set statutory factors to the

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factors representing actual educational expenditures. Currently, statutory factors are adjusted by 75 percent of the difference between the statutory factors and the factors representing the actual five-year average educational expenditures. The executive recommendation proposes to adjust statutory factors by 85 percent of the difference the first year of the biennium and provides that for the 2004-05 school year, and all subsequent school years, weighting factors will be based on the actual five-year average educational expenditures. Weighting factors are included in the state school aid formula to address actual differences in educational costs realized by different size school districts. Ensuring that these factors are based on actual expenditures is an important step in improving the equity of the school funding formula.

The Senate Education Committee amended the original bill to combine the weighting categories for the two smallest size categories of high schools. The Governor's Office supports this change, but encourages you to consider ways to lessen the financial impact this change in weighting factors may have on the state's smallest high school districts.

Section 4 of the bill modifies the existing formula used to distribute supplemental equity payments. The Senate Education Committee has proposed to change the criteria under which a district qualifies for supplemental equity payments. As you know, these payments are directed toward the poorest districts in the state. In order to qualify under current law, a district must be below the state average educational expenditure per student and below the state average taxable valuation per student. The proposed change would base eligibility on total school district revenue, thereby taking into account various local and federal sources available to certain districts. The Governor's Office supports this change, if it improves equity. However, the existing formula includes important provisions that recognize local effort. The existing formula adjusts payments based on the number of mills levied between 150 and 210. The proposed formula only

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requires that districts levy 180 mills to qualify, whether that be 181 mills or 230 mills.

Currently, the Department of Public Instruction is required to limit supplemental equity payments to 30 percent of the amount generated by the statutory formula, even if this results in a portion of the legislative appropriation being returned to the state general fund at the end of the biennium. In order to ensure that the entire appropriation can be distributed, it is necessary for DPI to have the ability to adjust this formula. The amendments to this section, as included in the original bill and the engrossed bill, allow DPI to adjust the supplemental equity payment formula as necessary to distribute all appropriated funds.

The executive budget includes a significant increase in supplemental equity payments, from \$2.2 million in the current biennium to \$3.2 million in 2003-05. The Senate Education Committee version includes an appropriation (Section 7) of \$5 million for supplemental equity payments. The Governor's Office recognizes the importance of this program in improving school finance equity. Consequently, the Governor's Office supports this increase, but has concern regarding the redirection of monies from the teacher payment program.

Section 5 continues the teacher compensation program authorized by the 2001 Legislative Assembly. The Governor proposed to increase teacher payments from the current level of \$3,000 to a maximum of \$3,500 in 2003-04 and \$4,500 in 2004-05. The Senate Education Committee removed funding for the proposed teacher payment increase. **The teacher payment program is a priority in the executive budget and the Governor's Office requests that funding be restored to increase teacher compensation, as recommended.**

The Senate Education Committee also added sections 6 and 8 of the bill. Section 6 increases minimum teacher salaries from \$20,000 to \$21,500 by 2004-05. The Governor's Office supports this change, recognizing that it works in

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cooperation with the teacher compensation increase recommended in the executive budget.

Section 8 provides an appropriation of \$1.5 million for reorganization bonus payments. The executive budget included an appropriation of \$500,000 for this purpose and provided, in Senate Bill No. 2013, that if state school aid moneys were unspent at the end of the 2003-05 biennium, the first \$1 million available would be used for this purpose. At the time the executive recommendation was prepared, it was unclear if this amount would be needed to fund reorganizations. The Governor's Office supports this increase, if needed to meet statutory requirements for payments to reorganizing districts, but requests that it not be funded at the expense of teacher payments

Mr. Chairman, members of the committee, this concludes my testimony on Engrossed Senate Bill No. 2154. I would be happy to try answer any questions you have.

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**DEPARTMENT OF PUBLIC INSTRUCTION
STATE SCHOOL AID AND OTHER GRANTS
2003-05 RECOMMENDATION AND SENATE VERSION**

	2003-05 Recommendation	2003-05 Senate Version (Based on Senate action on SB 2154, as of 2/10/03)	Senate Version Increase (Decrease)
Major general fund grants			
Per student payments and transportation aid	\$478,056,990	\$490,879,990	\$12,823,000
Teacher compensation	66,277,000	51,854,000	(\$14,423,000)
Special education	49,898,695	49,898,695	0
Revenue supplement	3,200,000	5,000,000	1,800,000
Reorganization and joint powers Incentives	1,000,000	2,000,000	1,000,000
Hold harmless payments	1,200,000	0	(1,200,000)
	<hr/>	<hr/>	
Total major general fund grants to schools	<u>\$599,632,685</u>	<u>\$599,632,685</u>	<u>\$0</u>
Per student payments			
First year	\$2,430	\$2,497 *	\$67
Second year	\$2,528	\$2,589 *	\$61
Teacher payments			
First year teachers	\$1,000	\$1,000	
Second year teachers	\$3,000	\$3,000	
Third year teachers	\$3,500		
Teachers with more than three years experience	\$4,500		

* Senate Bill No. 2182 increases the mill deduct to 36 mills in 2003-04 and 38 mills in 2004-05. This will result in an increase in payment rates to \$2,550 and \$2,674.

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February 2003 *Exhibit 1A*

SUMMARY OF 2003-05 FUNDING FOR THE DEPARTMENT OF PUBLIC INSTRUCTION

This memorandum summarizes the funding included in the 2003-05 executive budget recommendation for the Department of Public Instruction (2003 Senate Bill No. 2013 as introduced) and the effects of 2003 Engrossed Senate Bill No. 2154 on the Department of Public Instruction's executive budget recommendation.

	Senate Bill No. 2013 as Introduced	Senate Bill No. 2013 Restated	Senate Bill No. 2154 as Amended	Total Funding	Increase (Decrease)
Salaries and wages	\$9,572,703	\$9,572,703		\$9,572,703	\$0
Operating expenses	13,527,674	13,527,674		13,527,674	0
Capital assets	15,000	15,000		15,000	0
Hold harmless payments	1,200,000	0		0	(1,200,000)
Reorganization bonuses and joint powers incentives	1,000,000	500,000 ¹	\$1,500,000	2,000,000 ¹	1,000,000
Grants - State school aid	478,056,990	490,879,990 ²		490,879,990 ²	12,823,000
Grants - Teacher compensation payments	66,277,000	51,854,000		51,854,000 ³	(14,423,000)
Grants - Revenue supplement payments	3,200,000	0 ⁴	5,000,000	5,000,000 ⁴	1,800,000
Grants - Tuition apportionment	69,495,371	69,495,371		69,495,371	0
Grants - Special education	49,898,695	49,898,695		49,898,695	0
Grants - Other grants	181,902,244	181,902,244		181,902,244	0
Total	\$874,145,877	\$867,645,677	\$6,500,000	\$874,145,877	\$0
General fund	\$608,165,035	\$601,665,035	\$6,500,000	\$608,165,035	\$0
Special funds	265,980,642	265,980,642		265,980,642	0
Total	\$874,145,877	\$867,645,677	\$6,500,000	\$874,145,877	\$0

¹ Senate Bill No. 2154 as amended by the Senate Education Committee provides a \$1.5 million appropriation from the general fund for reorganization bonus payments. The 2003-05 executive budget recommendation (Senate Bill No. 2013 as introduced) provides a \$1 million appropriation from the general fund for reorganization bonus payments (\$500,000) and joint powers incentives (\$500,000). Therefore, the Senate Appropriations Committee may consider reducing funding for reorganization bonuses and joint powers incentives included in Senate Bill No. 2013 to \$500,000 from the general fund.

² Senate Bill No. 2154 as amended increases the state school aid per student payment for the first year of the biennium from \$2,430 as recommended in the executive budget to \$2,497 and the payment for the second year of the biennium from \$2,528 as recommended in the executive budget to \$2,589. To properly account for the increase in state school aid per student payments, funding of \$12,823,000 should be added to the state school aid funding included in the 2003-05 executive budget recommendation (Senate Bill No. 2013 as introduced) to provide total state school aid funding of \$490,879,990. In addition, with the passage of 2003 Senate Bill No. 2182, which increases the mill deduct to 36 mills for 2003-04 and 38 mills for 2004-05, Senate Bill No. 2154 will need to be amended to increase the state school aid per student payment amounts in order to distribute all of the projected \$490,978,990 of state school aid funding. If the per student payment amounts are not adjusted, state school aid funding of \$14,777,920 would remain undistributed.

³ Senate Bill No. 2154 as amended continues the current level of teacher compensation payments of \$1,000 for first-year teachers and \$3,000 for second-year returning teachers. However, the bill does not include the provisions as recommended in the executive budget to provide an additional \$500 per third-year returning teacher in the first year of the 2003-05 biennium and an additional \$1,000 per fourth-year returning teacher in the second year of the biennium. Instead, the bill increases the state school aid per student payment for the first year of the biennium from \$2,430 as recommended in the executive budget to \$2,497 and the per student payment for the second year of the biennium from \$2,528 as recommended in the executive budget to \$2,489. To properly account for the decrease in teacher compensation payments, the executive budget recommendation for teacher compensation payments (Senate Bill No. 2013 as introduced) should be decreased by \$14,423,000, from \$66,277,000 to \$51,854,000.

⁴ Senate Bill No. 2154 as amended provides a \$5 million appropriation from the general fund for revenue supplement payments to school districts, and the 2003-05 executive budget recommendation (Senate Bill No. 2013 as introduced) provides a \$3.2 million appropriation from the general fund for revenue supplement payments. Therefore, the Senate Appropriations Committee may consider eliminating funding for revenue supplement payments included in Senate Bill No. 2013.

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Exhibit 2



February 11, 2003
SB2154 and SB2013
Gloria Lokken, NDEA

Chairman Ray Holmberg and Members of the Senate Appropriations Committee:

For the record, my name is Gloria Lokken. I am a fourth grade teacher on leave from Minot Public Schools to serve as President of the North Dakota Education Association.

I support SB2154 restored to its original form and SB2013 adjusted accordingly with the hold harmless provision funded.

The 2001 Legislature made history by approving HB1344---the first Teacher Compensation Bill---and recognizing the need to recruit and retain teachers in North Dakota's public schools. As you recall, HB1344 set aside a certain amount of money that school districts could only receive if they increased teacher compensation. This money went to FTE (Full-Time-Equivalent) teachers.

This new approach to funding schools made a difference---most North Dakota educators gained the greatest salary increase they had seen in 20 years---since 1983. It also made a difference in our educators choosing not to leave the state or the teaching profession. And it allowed new graduates to pursue teaching assignments in our state.

Now, we are asking YOU to sustain and to improve the teacher compensation package. Follow Governor Hoeven's lead by earmarking this money for teacher compensation and then by funding the 'Hold Harmless' clause. By actually funding the 'Hold Harmless' payments, no district will receive less than they would have received if all the money were in Foundation Aid.

The education arena has changed greatly. Our teachers realize there are opportunities in other states. In fact, many are being aggressively recruited. The teacher shortage is nationwide. States are competing for a limited supply of teachers, and the number of teachers who will retire within the next few years is staggering. In North Dakota alone, 38 percent of our teachers are eligible to retire in the next eight to ten years. To retain our people and to interest prospective teachers, we must continue to enhance salaries. We must do better; we have been 50th in salaries for too many years.

The argument we are now hearing is that the salaries are better, so we should put the teacher compensation money back into foundation aid. Districts are saying they know they must increase salaries, but they want the decisions made at the district level. We have a long history of working with foundation aid payments and negotiating for salaries. We know increases in foundation aid do not translate into salary increases.

Teaching may be a calling, but it shouldn't be a sacrifice. The foundation aid program only worked because teachers made the sacrifice. In fact, they not only accepted low salaries; they dug deep into their own pockets to supplement their classroom materials. More than likely, we'll continue to spend on our students, but on behalf of future teachers and ourselves, we are no longer willing to accept the leftovers as salaries.



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In the past twenty years, the percentage of state support has decreased, and more of the funding has transferred to local property taxes. In 1982, we ranked 30th in U.S. teachers' salaries; in 2002, we ranked 50th. In 1985, funds from local sources were 35 percent, and in 2002, funds from local sources were 43 percent. North Dakota must do better. Our state has a constitutional obligation to fund public schools and that means providing the resources that are needed.

Funding the teacher compensation package commits only ten percent of the school aid package, and it delivers those dollars to the basic level of teaching students in the classroom. We know money spent for things that really matter, such as attracting and retaining qualified staff, makes a positive difference in the education of students. It really is all about students. We want to keep quality staff in our classrooms. We do not want them replaced with TVs and correspondence courses.

While progress was made during the last legislative session, we have a lot of work to do. We must enhance the teacher compensation package to continue recruiting and retaining quality teachers for North Dakota students.

We urge the Appropriations Committee to restore SB2154 to its original form and SB2013 adjusted accordingly with the hold harmless provision funded.

Now, Joe Westby will follow with additional testimony on SB2154.

Testimony on Senate Bill 2154
Presented by Mark Lemer, Business Manager, West Fargo Schools
March 11, 2003

Representative Kelsch and members of the House Education Committee, I am here today to ask your support to increase the amount of funding that will be made available to school districts during the next biennium.

The executive recommendation included an increase of \$4,085,342 in basic funding for schools in the form of foundation aid and an increase of \$31,241,000 for the teacher compensation program. Of the \$31,241,000 increase, approximately \$16,818,000 was to fund the continuation of \$3,000 payments from the 2001-2003 biennium and 14,423,000 was to fund an additional \$1,500 payment per teacher in the state.

As SB 2013 (the appropriation bill for education), SB 2154 (the foundation/teacher compensation bill), and SB 2182 (the mill deduct bill) were proceeding through the Senate, changes were made that impacted the appropriation that was proposed in the executive recommendation.

The first change occurred when the Senate amended SB 2154 to transfer the "new" teacher compensation appropriation to foundation aid. This resulted in an increase in the per-pupil payments from the executive recommendation of \$2,430 to \$2,497 for 2003-04 and from \$2,528 to \$2,619 for 2004-05.

The second change occurred when the Senate adopted SB 2182, which

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increased the mill deduct from 32 mills to 36 mills for 2003-04 and 38 mills for 2004-05. When the mill deduct is increased, the per pupil payments should be raised to redistribute the local dollars that are recaptured. This allows property poor school districts to benefit from the increase in the deduct. However, the Senate did not increase the pupil payments a second time to reflect the changes in the mill deduct. As a result, the appropriation of state funds was decreased which is offset by a direct shift to local sources.

In light of a potential pending lawsuit, we have heard a great deal about equity and how different proposals increase or decrease the amount of equity that exists. I would submit that increasing the mill deduct on the one hand and then lowering the appropriation by the same amount on the other will not be viewed as a position move toward equity.

Assuming that there is a possibility that more funds will be made available to increase the appropriation for schools, I would ask that those funds be distributed in the form of foundation aid. Historically, the basic premise of the funding of schools in North Dakota has been to send the funds out on a per-pupil basis, with the mill deduct being used as a tool to level the playing field between property rich and property poor districts. With the advent of the teacher compensation program, funds began to be distributed on a new basis for a purpose that was unrelated to equalization.

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If there is an increase in the appropriation, you will be asked to guarantee that some of this increase be dedicated to raising the salary and benefit packages of all school districts. If there will be a state-mandated dedication of new money in the foundation aid appropriation, I would propose that this only be applied to the districts that will actually see an increase in their state funding for foundation aid. Districts that see a decrease in their state funding from the foundation aid program should be exempted from any state-mandated standard for compensation. Unlike the teacher compensation program, which was a fully funded mandate, requiring districts to spend funds they don't receive would be an unfunded mandate.

I urge you to restore the funding of schools to the level included in the executive recommendation. Without adequate funding, it is unreasonable to assume that we increase salary and benefit packages for teachers. It is also unreasonable to assume that we can find funds for all the other expenditures that are required to operate effective schools.

If you have any questions, I will be happy to answer them.

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* All sources of wealth should be included in the calculation for state foundation aid entitlements.

11. While recognizing the importance of the Americans with Disabilities Act, handicapped access requirements, fire and life safety codes and other state and federal mandates, schools should be given a reasonable time to comply with these provisions in areas that are not inordinately hazardous. School districts should be able to obtain loan funds from state construction fund and other sources on a long-term, low-interest rate basis to meet these costs.

12. NDSOS opposes legislation that establishes charter schools or voucher systems or tax credits for private schools.



North Dakota Small Organized Schools

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North Dakota Small Organized Schools

Legislative Program 2003

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LEGISLATIVE PROGRAM

1. The reimbursement for increases in teacher salaries provided by the 2001 Legislative Assembly, which reimbursed school districts for teacher salary increases up to \$1,000 for the first year of the biennium and up to \$3,000 for the second, should be continued at no less than the same compensation level for the 2003 biennium.
2. Teacher salaries are a matter of paramount importance and it is the responsibility of each local school district to determine such salaries, in accordance with local conditions and needs, so as to attract and retain quality professional instructional personnel.
3. The association continues to believe that the changing of school district boundaries is a matter for local determination. Therefore, any legislation that permits a reorganization to be effective without a favorable vote of the patrons of the district or districts that are affected, will be opposed.
4. The association opposes school district boundary changes or school closings based solely on reasons of location, size or level of grade offerings. We continue to believe that school district reorganizations based on factors that clearly show educational advantages for pupils are appropriate.
5. The 90% cap on state transportation costs should be eliminated and districts should be reimbursed for 100% of cost. Reimbursement for busses with a capacity of transporting 10 or more students should be increased from 67 cents to 75 cents per mile for transporting students living outside the incorporated limits of a city. Transportation services for special and vocational education should continue to be funded.
6. All schools should have access to improved distance learning technology for instructional purposes and this program should continue to be funded. Especially, the state should continue funding for the state-wide network. School boards should have the authority to levy up to 5 mills to meet funding costs. In addition, school building fund tax moneys should be allowed to be used for the purchase and maintenance of educational technology equipment for student instruction.
7. The establishment of each school's calendar is a matter of local control. The legislative assembly should permit schools to have more flexibility to determine the length of a school day. Schools should also be given the authority to provide an additional two days of state-funded professional staff inservice training to meet the standards for highly-qualified teachers under the federal "No Child Left Behind" Act.
8. NDSOS supports legislation that funds special education in an adequate and equitable manner and at a level that enables school districts to meet the needs of special education students. The state should have a responsibility to fund at least 70% of the cost of special education.
9. It is recognized that mandated educational requirements issuing from the state are necessary for the comprehensive delivery of educational services. However, it is also believed that the state should fund at 100% any new mandate that it requires, and, if no funding is made available, then school districts should not be required to comply with the mandate. Interim committees of the North Dakota Legislative Council should continue to review current practices to determine which educational mandates are no longer current or necessary and should be deleted.
10. NDSOS supports legislation that would allow school boards to increase property taxes by a maximum of three percent each year after reaching the millage cap. The cap should not be less than the average statewide school district tax levy. State foundation aid should be founded on a broadbased, stable state supported system which insures basic education standards for all students no matter where they may live. These elements should be a part of any plan:
 - * 70% of the cost of education should be met by the state foundation aid program.
 - * There should be no increase in the millage deduct until the state reaches a level of funding that equals or exceeds 70% of the statewide average cost of education. The value of all local tax-abated real property should be included in the calculation for state foundation aid entitlements.

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REMARKS MADE BY DEAN F. BARD REGARDING SB 2154 TO THE
HOUSE COMMITTEE ON EDUCATION
March 11, 2003

Chairman Kelsch and Committee Members:

You have before you this morning SB 2154 which contains the per pupil payment provisions for the state foundation aid program. The organization that I represent, North Dakota Small Organized Schools, has a membership base of 115 school districts in North Dakota. For the most part, as our association name indicates, our members, comprise the smaller elementary and secondary educational institutions. We have no qualifications for membership, but the program that we present and the goals that we attempt to fulfill generally tend to appeal to school districts that have a pupil enrollment of 150 high school students or less. Therefore, we are very concerned with several aspects of this measure which severely impact smaller high and elementary schools.

Our first concern is that part of the bill which proposes to do away with the 0-74 high school category. This was not in the original bill, but crept in through Senate Education Committee amendments. There was no testimony that I recall that asked that this change be made. The effect of this proposal is far-reaching indeed. At the present time, the 0-74 pupil category is adjusted by multiplying the factor of 1.625 adjusted by 75% of the difference between 1.625 and the 5-year average cost of education for this category. This reduces the factor from 1.625 to 1.4712. If we use the per-pupil payment currently proposed in the bill for the first year of the next biennium, which is \$2,497, the statutory factor would yield \$4,057.63. But, with the adjustment to 1.4712, it yields \$3,673.59, a reduction of \$384.03. Now, if we delete the 0-74 category, and push these smaller high schools into the 75-150 category, this is what will happen: The factor for this category is now set at 1.335 in the statute, but as adjusted, it is 1.1762. Taking this times the payment of \$2,497, produces \$2,936.97. This is a loss of \$736.62 per pupil. If a district has an ADM of 50, the loss would be \$36,831.

Based on 2000-2001 figures from the DPI website, there are 9 high school districts that educate 74 high school pupils or less. The total number of high school pupils educated in these districts is 592. At a loss of \$736.62 each, the total lost comes to \$436,079. This may not be a large amount of moneys for a large class A district, but I can assure you that it is for the 9 districts that are affected.

To this we have to add the loss that comes from moving from 75% of the 5-year cost to 85%. This is somewhat speculative, but it appears it would reduce the factor for the 0-150 category about .019, or to 1.1521. This would lower the payment to \$2,876, for a total reduction of \$797.59. Then, when the second year of the biennium comes around, and the category simply goes to the 5 year average cost, and we are really speculating here, but it looks like the factor would drop to about 1.124, bringing the payment (based on the second year per-pupil amount of \$2,619), to \$2,943. This is an increase of about \$67 for the second year of the biennium for these schools. Not very much! When you couple the effect this bill would have because of going from the 32 mill deduct to 36, and then increasing it by 2 mills each year, with the problem it poses for high schools in the 0-74 classification, you can see why we have no option but to oppose those provisions dealing with the formula and mill deduct changes. We respectfully ask that you restore the 0-74 high school category and delete the mill deduct increases.

If there are any questions, I will be happy to try and answer them.

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Wahpeton Public School District

Report To House Of Representatives
Education Committee

RE: Senate Bill 2154

March 11, 2003

By Mike Connell, Superintendent

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Impact Of Senate Bill 2154 On The Wahpeton School District

I. Expenditures

Section VI - Annual Salary - Minimum Amount

"Beginning with the 2003-04 school year, the board of each school district shall provide to each full time teacher, under contract for a period of nine months, a base salary level for the contract period equal to at least twenty-one thousand dollars."

Estimated Cost In New Expenditures - \$200,000+

II. State Foundation Aid Revenue

\$8,175 (*source - North Dakota Department of Public Instruction*) - Exhibit A

III. Local Revenue

General Fund Mills Levied - 185

Total Mills Levied - 228.12

Total Taxable Valuation - \$17,750,889

Taxable Valuation Per Pupil - \$11,378

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Why So Devastating To Wahpeton?

"Low Base" - "High Benefit" Compensation Package

Salaries

Base Salary - \$20,100
Steps On Schedule - 18
Index At Maximum - 1.99

Benefits

1. Health Insurance

Full Family BC/BS Health Insurance - 100% Paid By District - No
Cost To Teacher (\$422,568 to District)

Family Value - \$6,521
Single Plus Dependent - \$4,640
Single - \$2,791

2. Teacher Retirement Contribution

District Pays Both Employer And Employee Share Of TFFR
Contributions (7.75% each) (\$301,652 to District)

A Teacher @ \$20,100 (when comparing
apples to apples) is in reality being paid
\$21,789

A Teacher @ \$35,000 is in reality being
paid \$37,713

*4th out
of 192
dist.*

3. "Extra Class/Study Hall"

Standard Teaching Load For Secondary Teachers is five classes.
When teaching a sixth class or study hall they are paid an
additional \$2,871 or \$1,675 respectively (\$116,736 to District).

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Yvonne J. Lee
Operator's Signature

10-16-23
Date

Foundation Aid Per Student Payment Projection for 2003-05 Biennium Budget

Senate	ID	NAME	1. 2002-03 Actual Net Enrollment (Line 03)		2. 2002-03 Payment Year (Based on 2002 Fall Est. Only)		3. 2003-2004 Projection (Projected from 2002 Fall Est.)		4. 2004-2005 Projection (Projected from 2002 Fall Est.)		Year 1 change	Year 2 change
			Actual Pay	Actual Pay	Est	Gross Pay	Est	Gross Pay	Est	Gross Pay		
	31002	Stanley 2	751,322	395	362	914,016	375	942,757	370	963,637	-0.1%	0.2%
	31003	Parshall 3	606,220	301	303	706,638	298	736,794	295	776,662	2.2%	4.7%
	31037	Plaza 137	13,701	30	25	64,683	25	70,253	25	75,440	-43.8%	-18.4%
	32001	Dakota Prairie 1	50,459	361	324	794,579	311	800,029	301	827,741	5.0%	0.8%
	32066	Lakota 06	545,217	291	264	683,634	254	715,166	244	745,098	1.8%	2.7%
	33018	Center 18	579,284	284	246	635,198	224	628,829	194	590,804	-9.1%	-10.2%
	34001	Premiera 1	334,980	184	148	431,613	142	437,950	138	447,387	-3.7%	-1.3%
	34006	Chandler 6	1,064,383	559	554	1,250,341	534	1,266,075	517	1,265,946	-2.7%	-2.8%
	34012	Valley 12	361,774	201	157	448,793	185	461,476	181	473,174	-1.5%	-0.1%
	34019	Dayton 19	415,211	242	203	580,537	196	602,357	189	617,505	2.1%	0.9%
	34027	Walsh 27	592,109	314	308	726,678	298	736,094	284	745,124	-1.1%	-1.1%
	34043	St Thomas 43	316,126	174	137	387,044	160	398,915	129	407,715	-1.1%	-0.4%
	34055	Nehie 55	180,400	123	99	288,352	96	297,594	93	304,300	-3.7%	-2.8%
	35001	Welford 1	153,130	86	60	178,865	57	179,890	56	184,880	-5.9%	-0.3%
	35005	Rugby 5	1,144,907	619	606	1,358,115	544	1,357,381	524	1,373,212	-1.8%	-1.8%
	36001	Devils Lake 1	3,078,518	1,911	1,911	4,340,249	1,862	4,479,276	1,821	4,574,656	1.4%	1.0%
	36002	Edmore 2	226,206	155	100	317,665	98	322,569	97	331,437	-7.4%	-3.9%
	36044	Starbuck 44	238,847	137	110	328,847	107	333,759	105	344,796	-0.5%	0.9%
	37002	Shekton 2	69,821	48	40	109,534	45	112,899	45	117,534	4.6%	4.2%
	37006	Princeton 6	29,394	23	20	48,747	19	51,092	19	53,515	21.0%	4.7%
	37019	Leban 19	1,220,924	627	657	1,470,419	644	1,510,516	628	1,532,264	0.4%	0.1%
	37022	Emery 22	650,136	350	335	825,540	329	860,666	320	880,734	3.5%	3.5%
	38002	Sherwood 2	243,460	144	105	310,391	124	310,481	95	312,263	-7.7%	-4.4%
	38009	Mohall 9	547,048	339	255	694,503	243	698,115	232	691,347	-4.5%	-2.6%
	38026	Glenburn 26	692,155	339	300	795,023	289	805,923	273	791,452	-1.4%	-3.5%
	39005	Memador 5	81,807	22	11	117,778	14	148,465	10	163,428	1.2%	1.3%
	39008	Hankinson 8	621,916	330	327	773,279	319	804,025	312	828,658	4.9%	4.9%
	39018	Farmwood 18	247,092	157	121	355,078	147	367,822	115	377,532	3.6%	0.5%
	39028	Lidgerwood 28	534,838	273	230	636,107	225	673,983	218	687,968	3.6%	0.5%
	39037	Wahpeton 37	2,534,973	1,485	1,540	3,465,444	1,503	3,500,070	1,459	3,604,235	0.3%	0.5%
	39042	Wynmore 42	543,374	311	280	723,541	275	783,641	267	777,160	0.7%	-1.2%
	39044	Richland 44	581,919	311	307	722,289	299	740,515	293	762,674	1.8%	1.0%
	40001	Dunsmuir 1	1,481,327	650	678	1,489,829	632	1,579,229	625	1,637,617	5.7%	3.9%
	40003	St John 3	587,492	299	294	693,656	295	734,396	295	778,862	6.5%	6.6%
	40004	MA Pleasant 4	692,613	349	336	805,772	343	857,345	339	905,905	4.6%	4.9%
	40007	Belcourt 7	3,974,435	1,697	1,763	3,972,157	1,771	4,225,662	1,771	4,417,150	6.4%	4.5%
	40029	Rolla 29	526,102	261	192	597,225	239	597,267	239	626,804	5.5%	4.8%
	41002	Minor 2	621,692	308	282	706,705	266	736,155	253	750,703	0.2%	2.2%
	41003	N Sargent 3	472,207	237	198	557,154	188	565,469	180	589,910	-1.4%	-1.1%
	41006	Sargent Central 6	507,889	335	319	739,841	304	759,071	289	764,691	-7.1%	-3.2%

ND Department of Public Instruction

Page 4 of 6

2/20/2003 distric projection 03-05 2.rts jac

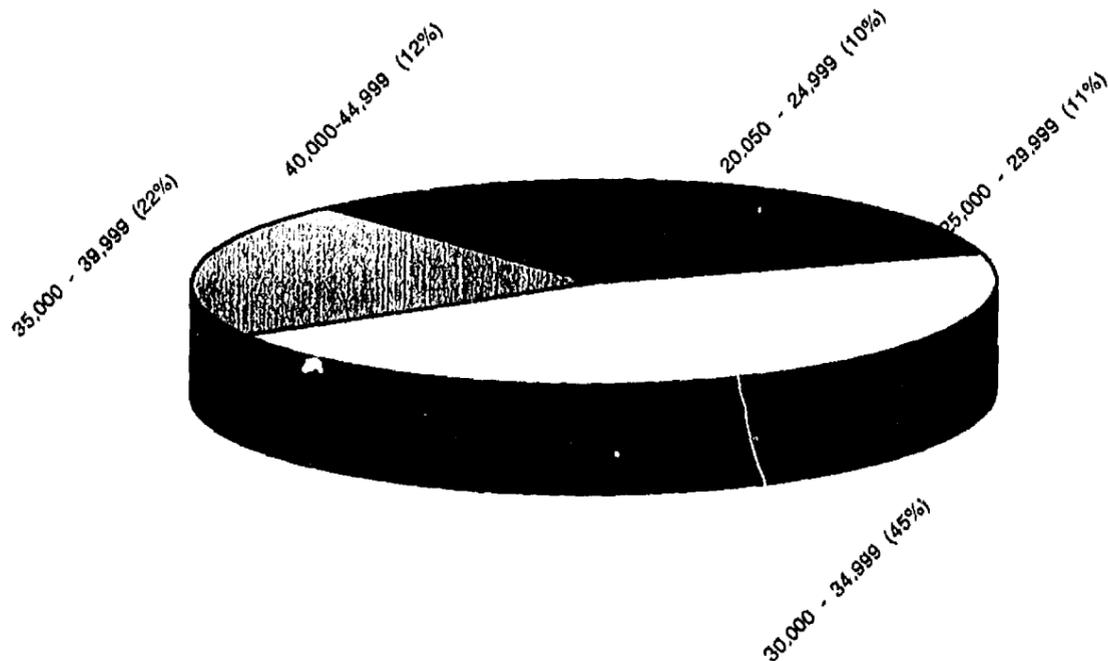
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Operator's Signature

10-16-03
Date

Teacher Salary Profile 2002-2003 - \$20,100 Base



Salary Range	# Teachers
20,100 - 24,999	10
25,000 - 29,999	11
30,000 - 34,999	47
35,000 - 39,999	22
40,000 - 44,999	12
45,000 +	1

In addition, the school district pays the entire cost of a family (\$6,521) single + dependent (\$4,640) or single (\$2,791) health insurance policy. The school district also pays each teacher's share (7.75%) of the Teacher Retirement contribution. Which means, while 15.5% of the gross salary is paid into each teacher's retirement fund, the entire amount is paid by the district.

Exhibit B

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Yuberca d. Lee 10-16-03
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Teacher Experience Profile

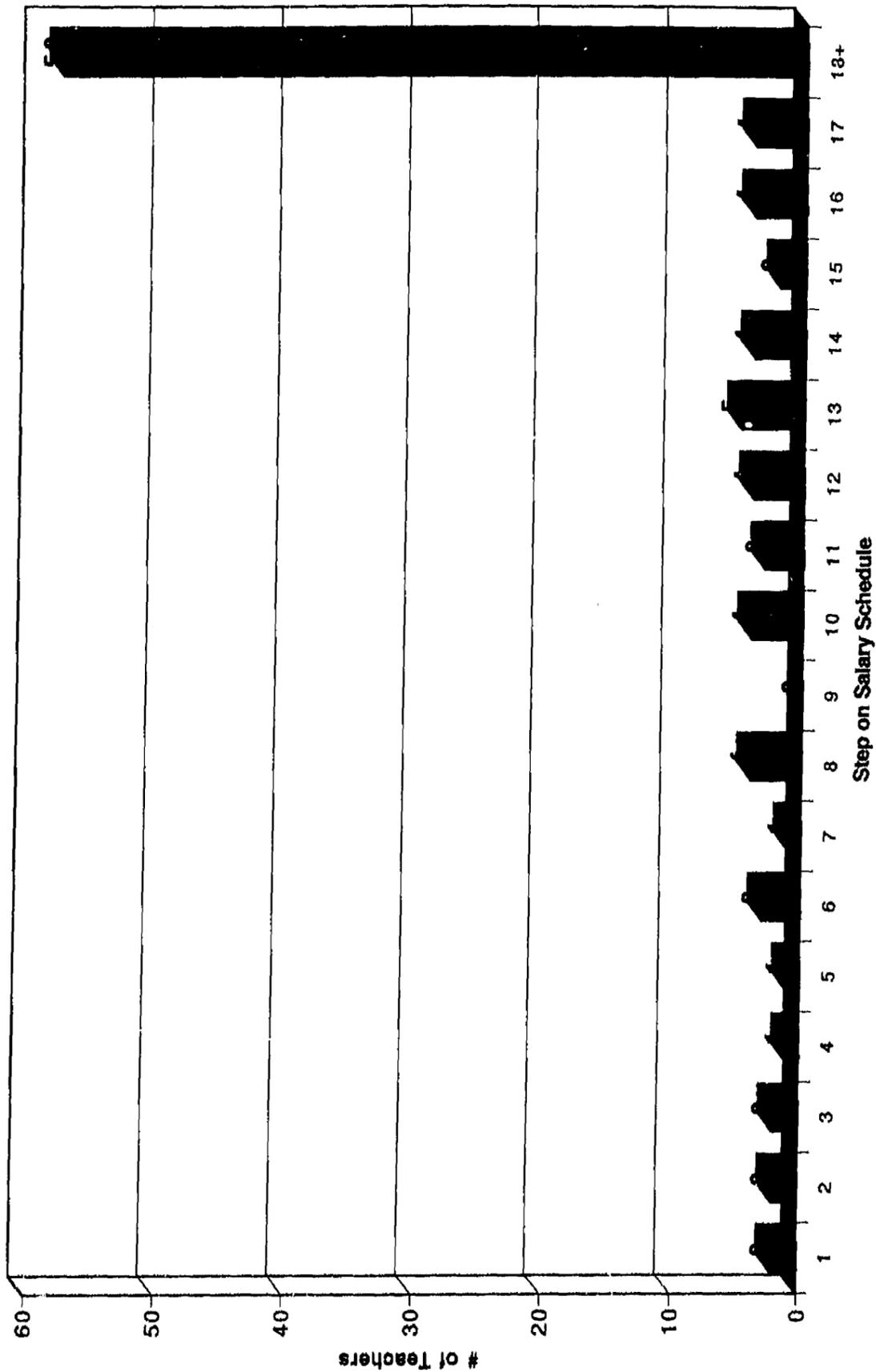


Exhibit C

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Revenue vs Expenditure History

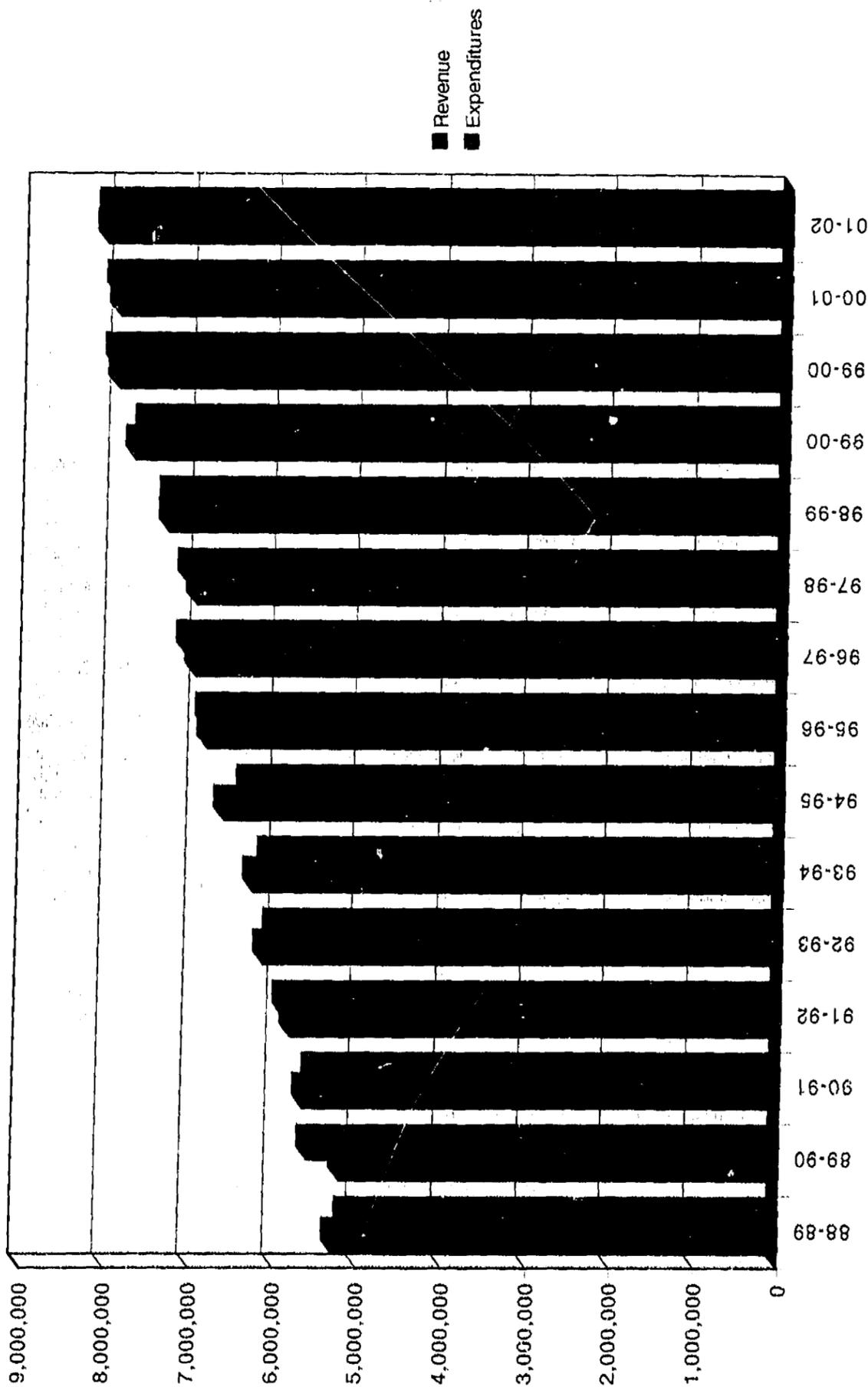


Exhibit D

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Expenditures By Function 2002-2003
\$8,589,543



- Instruction \$6,832,397 (80%)
- Plant O & M \$667,296 (7.8%)
- Transportation \$274,542 (3.2%)
- ▣ Central Office \$375,934 (4.4%)
- Extra Curricular \$309,496 (3.6%)
- Adult Ed. \$40,013 (.4%)
- Migrant 51,683 (.6%)

Exhibit E

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10-16-03
Date

General Fund Year Ending Balance History

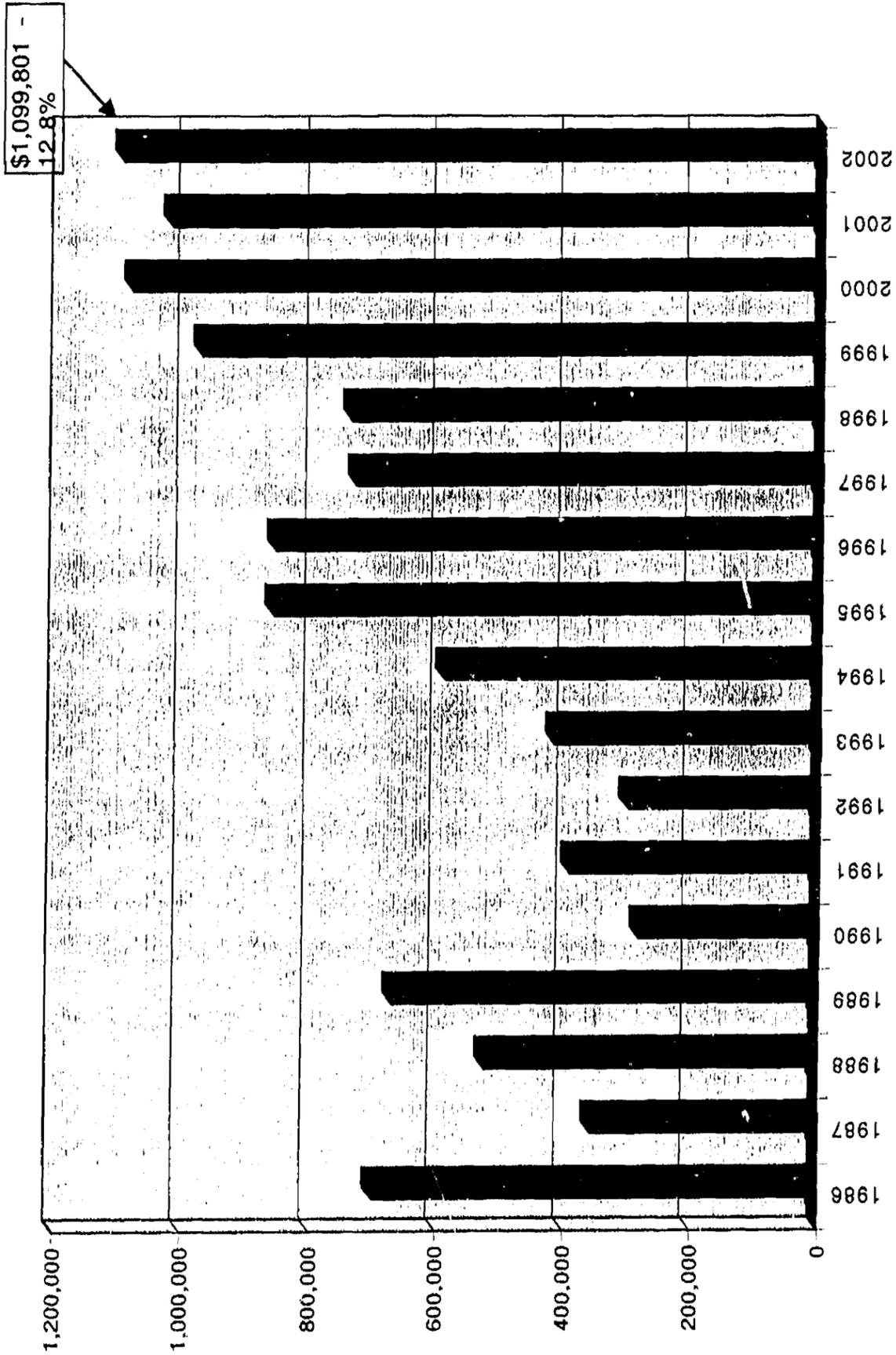


Exhibit F

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Y. J. [Signature] 11-16-03
 Operator's Signature Date

Summary

1. Senate Bill 2154 is "under funded"
2. The legislature should recognized the complexities of various teacher compensation packages and at the very minimum, the employee TFFR contribution made by some districts, should be "counted" or recognized in the event the legislature is going to set minimum salary levels.

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Operator's Signature

10-16-03
Date



**NORTH DAKOTA
SCHOOL BOARDS
ASSOCIATION**
INCORPORATED

Excellence in North Dakota public education through local school board governance

HOUSE EDUCATION COMMITTEE

SB2154

Bev Nielson, North Dakota School Boards Association

SB2154 as it comes to you from the Senate contains multiple changes to the foundation aid formula.

To review the changes:

- New FTE monies were moved to foundation aid payments. NDSBA did not oppose the shift of funding because it has become apparent that sustaining future FTE increases would continue to erode available funds for foundation aid appropriations. Moving the money increased per pupil payments to a reasonable level. Unfortunately, Senate Appropriations cut \$11+ million from the appropriation. The reason the per pupil payments did not change appreciably when this cut was made is that the mill deduct increase in SB2182 inflates the per pupil payments by nearly the identical amount. The per pupil payments in SB2154 are at this level primarily due to the mill deduct increase and declining enrollment, both of which drastically reduce the state funds coming to many districts. **A substantial increase in the foundation aid appropriation is required in order to avoid actual losses to many districts over last year's foundation aid payment.**
- The smallest high school weighting category of under 75 was eliminated. The consequence of this change is an immediate loss of 30% of state funding for schools currently in this category. **Without a phasing-in period for such a change, it creates an extreme hardship and should be reconsidered.**
- The weighting factors will move to the 5-year average having a negative impact on many districts.
- SB2154 continues the state's involvement in setting minimum salaries without consideration for monies districts actually receive in per pupil payments and individual district negotiated salary schedules. **NDSBA opposes the state setting salaries.**

Several Bills still under consideration in this Legislature impose significant requirements on school districts:

110 North Third Street • P.O. Box 2276 • Bismarck, North Dakota 58502
1-800-832-8781 • (701) 255-4127 • FAX (701) 258-7992
www.ndsba.k12.nd.us

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- Minimum credits required for graduation.
- Several additional required course offerings.
- Teacher qualification requirements.
- Student assessment and reporting requirements.
- And of course, the minimum salary requirements currently in SB2154.

While equity is a concern to the state, funding adequacy is clearly as critical an issue.

Madame Chair and members of the Committee, NDSBA asks that you set the formula changes and the impending state requirements for school districts along side the printout provided and ask yourselves: What is reasonable? and What is realistic?

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Operator's Signature

10-16-03
Date

Paul Sternick

	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
	Diff.						
Foundation Aid	2,032	2,145	2,230	2,287	2,347	2,497	2,619
		+113	+129	+87	+103	+147	+150
Elementary	2,682	2,811	2,898	3,001	3,148	3,409	3,614
One Room (1-8)							
1-6 (1-99 ADM)	2,441	2,589	2,707	2,792	2,890	3,133	3,363
		+148	+118	+85	+98	+243	+261
1-6 (100-999 ADM)	1,926	2,040	2,123	2,170	2,214	2,334	2,489
		+114	+83	+47	+44	+120	+120
1-6 (>999 ADM)	1,972	2,108	2,207	2,276	2,348	2,526	2,677
		+136	+99	+69	+72	+178	+178
Junior High	1,998	2,100	2,182	2,243	2,305	2,449	2,555
7-8 (All)		+102	+82	+61	+62	+144	+144
High School	3,029	3,174	3,296	3,365	3,441	XXXX	XXXX
9-12 (1-74 ADM)		+145	+122	+69	+76	XXXX	XXXX
9-12 (75-149 ADM)	2,435	2,557	2,651	2,690	2,749	3,065	3,165
		+122	+94	+39	+59	+316	+316
9-12 (150-549 ADM)	2,218	2,296	2,337	2,370	2,397	2,471	2,476
		+78	+41	+33	+27	+74	+74
9-12 (>550 ADM)	2,128	2,248	2,337	2,397	2,453	2,564	2,637
		+120	+89	+60	+56	+111	+111

of Districts

Kindergarten	202
Elementary	
One Room (1-8)	9
1-6 (1-99 ADM)	112
1-6 (100-999 ADM)	83
1-6 (>999 ADM)	8
Grade 7-8	192
High School	
9-12 (1-74 ADM)	67
9-12 (75-149 ADM)	60
9-12 (150-549 ADM)	31
9-12 (>550 ADM)	12

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Operator's Signature

10-16-03
Date

Rank Order of High School Districts

By 2001-2002 Average Cost Per Pupil

Rank No.	Co. No.	Dist. No.	District Name	Average Daily Membership	Average Cost	1-6 ADM	9-12 ADM	Mill Levy
141	26	019	Wishek 19	268	4,794			
142	15	036	Linton 36	380	4,793			
143	29	027	Beulah 27	972	4,766			
144	45	009	South Heart 9	266	4,748			
145	49	003	Central Valley 3	302	4,741			
146	39	008	Hankinson 8	324	4,722			
147	15	015	Strasburg 15	231	4,718			
148	39	042	Wyndmere 42	296	4,601			
149	18	044	Larimore 44	587	4,597			
150	30	001	Mandan 1	3,519	4,536			
151	53	001	Williston 1	2,491	4,536			
152	47	001	Jamestown 1	2,750	4,521			
153	41	002	Milnor 2	299	4,503			
154	32	066	Lakota 66	289	4,482			
155	16	010	Carrington 10	674	4,479			
156	25	001	2002-03 1	435	4,458			
157	02	002	Valley City 2	1,272	4,420	297	235	164
158	50	078	Park River 78	445	4,411	179	160	155
159	39	037	Wahpeton 37	1,628	4,397	481	405	231
160	14	001	New Rockford 1	377	4,376	177	168	242
161	29	003	Hazen 3	862	4,334	648	516	228
162	23	008	LaMoure 8	373	4,333	180	115	190
163	50	003	Grafton 3	977	4,264	319	309	197
164	37	019	Lisbon 19	659	4,171	162	131	166
165	09	002	Kindred 2	703	4,109	422	300	269
166	51	007	United 7	668	4,032	282	207	220
167	51	041	Surrey 41	448	3,978	317	216	206
168	11	041	Oakes 41	557	3,958	292	197	212
169	09	017	Central Cass 17	856	3,930	175	161	196
170	18	061	Thompson 61	491	3,872	256	164	210
						392	250	217
						198	179	191

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Operator's Signature

10-16-03
Date

Kulm Public School District
Foundation Aid Projections
 68th Legislative Assembly

		Loss In Foundation Aid Payment
Current 2002-03 Foundation Aid Payment	\$ 310,710.29	
 Projected Loss In Foundation Aid Payment		
\$2497 payment/no change in weighting factors* *Loss of State Aid due to declining enrollment	\$ 281,606.36	\$ 29,103.93
\$2497 payment/change in weighting factors* *Eliminates less than 75 Category--SB 2154	\$ 254,632.77	\$ 56,077.52
\$2497 payment/change in weighting factors/36 mill* *Eliminates less than 75 Category--SB 2154 *Increase in mill deduct--SB 2182	\$ 237,141.94	\$ 73,568.35

Summary: Kulm School is receiving \$310,710.29 in net per pupil aid during the 2002-03 School Year. If the legislature increases the per pupil payment by \$150 to \$2497 with no change in weighed pupil units, Kulm will lose \$29,103.93 as a result of declining enrollment.

If the legislature eliminates the less than 75 student category, Kulm will lose \$56,077.52 in State Aid. Of this loss, \$29,103.93 will be from declining enrollment and \$26,973.59 will be from the elimination of the weighting factor for schools with less than 75 enrollment in grades 9-12.

If you factor in the proposed increase in the mill deduct under SB 2182, Kulm will lose an additional \$17,490.83 in State Aid. If all the proposed changes take place, Kulm will lose a total of \$73,568.35.

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 Operator's Signature

10-16-03
 Date

N.D. DEPARTMENT OF PUBLIC INSTRUCTION
FOUNDATION AID PAYMENT FOR FEBRUARY 2003

COUNTY 23 Lamoure
DISTRICT 007 Kulm 7

Prior Year's Information

1. Net Entitlement (2001-02) \$ 491,593.23
2. Kindergarten \$ 16,397.79
A. 2001-02 entitlement based on 2000-01 ADM = \$ 16,397.79
B. 2001-02 payments based on ADM wpu = \$ 16,397.79
C. 2001-02 kindergarten adjustment = \$ 0.00

3. PK, 1-12 \$ 424,924.60
A. 2001-02 entitlement based on 2000-01 ADM = \$ 424,924.60
B. 2001-02 payments based on ENR wpu = \$ 440,361.85
C. 2001-02 PK, 1-12 adjustment = \$ 15,437.25

4. Net adjustment (2C + 3C) = \$ 15,437.25
5. Current Year's Information - 2002-03 Foundation Aid Entitlements \$ 430,909.20
A. PK, 1-12 = \$2,347.00 X 183.60 WPU (ADM) = \$ 430,909.20
B. KGTM = \$2,347.00 X 4.71 WPU (ADM) = \$ 11,054.37
C. Transportation (lesser of line 151 and 152) = \$ 69,500.45
D. Tuition apportionment (census adj for open enr) = \$ 24,571.12
E. Sp Ed (136 Census + 0 = 136 X 180.67) = \$ 26,578.80
F. Teacher comp. (17.31 FTE X \$3,000 max) = \$ 50,650.00
G. Total entitlement (line 5A + 5B + 5C + 5D + 5E + 5F) = \$ 613,263.94

6. Deducts:
A. Less .032 mills X \$ 4,101,665 tax value = \$ 131,253.28
B. Less excess fund balance deduct = \$ 0.00
C. Deduction for non-accreditation = \$ 0.00
D. Total deducts (line 6A + 6B + 6C) = \$ 131,253.28
E. 2002-03 net entitlement (line 5G - line 6D) = \$ 482,010.66
F. Adjustments for over/under payment = \$ 0.00
G. 2002-03 adjusted net entitlement (line 4 + 7 + 8) = \$ 466,573.41

7. 2002-03 net entitlement (line 5G - line 6D) = \$ 482,010.66
8. Adjustments for over/under payment = \$ 0.00
9. 2002-03 adjusted net entitlement (line 4 + 7 + 8) = \$ 466,573.41

14. A. Pupil payment \$ 3110 \$ 295,273.04
B. Transportation \$ 3150 \$ 69,500.45
C. Summer School & Extended Year Special Ed \$ 3110 \$ 0.00
D. Special education students served out-of-district \$ 3110 \$ 6,465.99
E. Home-based instruction supervised by district \$ 3140 \$ 24,571.12
F. State child placement and excess cost reimb. \$ 3150 \$ 0.00
G. Tuition apportionment \$ 3200 \$ 0.00
H. Supplemental payments \$ 3160 \$ 0.00
I. Special education payment (0.00% X line 5E) \$ 3160 \$ 0.00
J. Limited English Proficient (.00 students) \$ 3170 \$ 50,650.00
K. Teacher compensation \$ 448,620.60
L. Total (lines 14A through 14K) \$ 448,620.60

15. Transportation entitlement (see line 5C)
A. Small Bus 0.0 MILES X .250 = \$ 0.00
B. Large Bus 91,875.0 MILES X .670 = \$ 61,556.25
C. Pupil Day 16,710.5 X .400 = \$ 6,684.20
D. Family 3,150.0 MILES X .400 = \$ 1,260.00
E. In-City 0.0 RIDES X .200 = \$ 0.00
F. In-City LG 0.0 MILES X .350 = \$ 0.00
G. In-City SM 0.0 MILES X .250 = \$ 0.00
H. Subtotal \$ 69,500.45
I. Total \$ 128,258.61
J. Maximum entitlement at 90% cap \$ 128,258.61

16. Enrollment excludes out-of-dist Sp Ed & students from out-of-state. PK 1-6 \$ 0.00
17. Fall enrollment excludes excess pupils KGTM 1-6 \$ 0.00
18. Kindergarten is based on 90 full days KGTM 1-6 \$ 0.00
19. 2001-02 WPU - ADM based on old factors PK 0.00
20. Open enrollment ADM KGTM 1-6 \$ 69,500.45
20. Open enrollment ADM KGTM 1-6 \$ 128,258.61

11. 2001-02 Avg Daily Mem \$ 8.00
12. 2000-01 Avg Daily Mem \$ 12.30
13. 2000-01 Avg Daily Mem \$ 144.93

10. 2002-03 Fall ENR. \$ 0
11. 2001-02 Avg Daily Mem \$ 8.00
12. 2000-01 Avg Daily Mem \$ 12.30
13. 2000-01 Avg Daily Mem \$ 144.93

10. 2002-03 Fall ENR. \$ 0
11. 2001-02 Avg Daily Mem \$ 8.00
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Operator's Signature *Yubereca J. Lee*

Date 10-16-03

Per Pupil Payment \$2497.00, Current Weight

Kuln school

Stvenues

Enrollment	Weighted Pupil Units	FTE	ADM	Pup. Units	Weighted Pupil Units	FTE	ADM	Pup. Units	Weighted Pupil Units
Preschool Education	1.1779		1	1.18				1.18	0.00
Kindergarten	0.5887		6	3.53				10	5.89
Grades 1-8(Rural Schools)	1.3414		55	0.00				53	0.00
Grades 1-6 (1-99 ADM)	1.2312			67.72					65.25
Grades 1-6 (100-999 ADM)	0.9433			0.00					0.00
Grades 1-6 (>999 ADM)	1.0003			0.00					0.60
Grades 7-8 (All Except Rural Schools)	0.9822		22	21.61				17	16.70
Grades 9-12 (1-74 ADM)	1.4663		51	74.78				52	76.25
Grades 9-12 (75-149 ADM)	1.1711			0.00					0.00
Grades 9-12 (150-549 ADM)	1.0212			0.00					0.00
Grades 9-12 (>549 ADM)	1.0452			0.00					0.00
Total Weighted Pupil Units			135	168.8158				132	164.0856

Foundation Aide	Greater of ADM and Fall ENR	Mill Deduct	Foundation Aid	Foundation Aid	Revenue
	168.82	4,372.709	\$2,497.00	\$	421,533.05
			0.032	subtract	139,926.69
					\$ 281,606.36
				Total Foundation: Payment	

Tuition Apportionment	Census Count	Reimbursement Rate	Revenue
	136	335.00	45560.00

Transportation	City	Reimbursement Rate	Revenue
Rural Vehicles (Less than 10)	8640 Miles	0.25	2160.00
Rural Vehicles (10 or more)	91875 Miles	0.67	61556.25
Pupils Transported (10 or More Rural)	16710 Pupil days	0.4	6684.00
In-City Vehicles (Less than 10)	0 Miles	0.25	0.00
In-City Vehicles (10 or More)	0 Miles	0.35	0.00
In-City Rides	0 In-City Rides	0.2	0.00
Family Transportation	Miles (One Way)	0.4	0.00
Transportation Payment			\$ 70,400.25

Teacher Compensation	# of FTE	Reimbursement Rate	Revenue
	15.96	3000.00	47880.00

Teacher Compensation Payment	2003-2004 Net Entitlement	Revenue
	\$	\$ 47,880.00
	\$	445,446.61

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Operator's Signature: Yuberca d. Lee Date: 10-16-03

Statevenues	Weighted Pupil Units	ADM	hool	Weighted Pupil Units	Per Pupil Payment \$2497.00, Change Weight	Weighted Pupil Units
Preschool Education	1.1779	1		1.18		0.00
Kindergarten	0.6055	6		3.63		6.06
Grades 1-8(Rural Schools)	1.3414			0.00		0.00
Grades 1-6 (1-99 ADM)	1.2549	55		69.02		66.51
Grades 1-6 (100-999 ADM)	0.9433			0.00		0.00
Grades 1-6 (>999 ADM)	1.0003			0.00		0.00
Grades 7-8 (All Except Rural Schools)	0.9807	22		21.58		16.67
Grades 9-12 (1-74 ADM)	1.4663			0.00		0.00
Grades 9-12 (75-149 ADM)	1.2276	51		62.61		63.84
Grades 9-12 (150-549 ADM)	1.0212			0.00		0.00
Grades 9-12 (>549 ADM)	1.0452			0.00		0.00
Total Weighted Pupil Units		135		158.0134		153.0718

Foundation Aide	Greater of ADM and Fall ENR	Foundation Aid	Foundation Aid	Foundation Aid
Mill Deduct	158.01	\$2,497.00	\$	394,559.46
Taxable Valuation of District	4,372,709	0.032	subtract \$	139,926.69
Total Foundation Payment				\$ 254,632.77

Tuition Apportionment	Census Count	Reimbursement Rate	Revenue
	136	335.00	45560.00

Tuition Apportionment Payment	Revenue
	\$ 45,560.00

Transportation	Qty	Reimbursement Rate	Revenue
Rural Vehicles (Less than 10)	8640 Miles	0.25	2160.00
Rural Vehicles (10 or more)	91875 Miles	0.67	61556.25
Pupils Transported (10 or More Rural)	16710 Pupil days	0.4	6684.00
In-City Vehicles (Less than 10)	0 Miles	0.25	0.00
In-City Vehicles (10 or More)	0 Miles	0.35	0.00
In-City Rides	0 In-City Rides	0.2	0.00
Family Transportation	Miles (One Way)	0.4	0.00
Transportation Payment			\$ 70,400.25

Teacher Compensation	# of FTE	Reimbursement Rate	Revenue
	15.96	3000.00	47880.00

Teacher Compensation Payment	Revenue
	\$ 47,880.00

2003-2004 Net Entitlement	Revenue
	\$ 418,473.02

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Yuberena J. Joo
Operator's Signature
10-16-03
Date

Sta.venues **Kulm Sch** **36 Mill Deduct** **Per Pupil Payment \$2497.00, Change Weight** **ctors**

Enrollment	Weighted Pupil Units	2003-2004 ADM	2003-2004 Weighted Pupil Units	2003-2004 ADM	2003-2004 Weighted Pupil Units
Preschool Education	1.1779	1	1.18	1	1.18
Kindergarten	0.6055	6	3.63	6	3.63
Grades 1-8(Rural Schools)	1.3414	55	0.00	10	6.06
Grades 1-6 (1-99 ADM)	1.2549	22	69.02	53	0.00
Grades 1-6 (100-999 ADM)	0.9433	51	0.00	17	66.51
Grades 1-6 (>999 ADM)	1.0003	52	0.00	52	0.00
Grades 7-8 (All Except Rural Schools)	0.9807	135	21.58	132	0.00
Grades 9-12 (1-74 ADM)	1.4663	135	0.00	132	16.67
Grades 9-12 (75-149 ADM)	1.2276	135	62.61	132	0.00
Grades 9-12 (150-549 ADM)	1.0212	135	0.00	132	63.84
Grades 9-12 (>549 ADM)	1.0452	135	0.00	132	0.00
Total Weighted Pupil Units			158.0734		153.0718

Foundation Aide	Foundation Aid	Foundation Aid	Foundation Aid
Greater of ADM and Fall ENR	158.01	\$2,497.00	\$ 394,559.46
Mill Deduct	4,372,709	0.036	157,417.52
Taxable Valuation of District		subtract	\$ 237,141.94
Total Foundation Payment			\$ 45,560.00

Tuition Apportionment - Calculate the previous census (ages 6-17) Adjusted for Open Enrollment:
 Census Count: 136
 Reimbursement Rate: 335.00
Tuition Apportionment Payment Revenue \$ 45,560.00

Transportation	City	Reimbursement Rate	Revenue
Rural Vehicles (Less than 10)	8640 Miles	0.25	2160.00
Rural Vehicles (10 or more)	91875 Miles	0.67	61556.25
Pupils Transported (10 or More Rural)	16710 Pupil days	0.4	6684.00
In-City Vehicles (Less than 10)	0 Miles	0.25	0.00
In-City Vehicles (10 or More)	0 Miles	0.35	0.00
In-City Rides	0 In-City Rides	0.2	0.00
Family Transportation	Miles (One Way)	0.4	0.00
Transportation Payment			\$ 70,400.25

Teacher Compensation - # of FTE: 15.96
 Reimbursement Rate: 3000.00
Teacher Compensation Payment Revenue 47880.00 \$ 47,880.00

2003-2004 Net Entitlement \$ **400,982.19**

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Yubereca J. Lee
 Operator's Signature

10-16-03
 Date

STRASBURG PUBLIC SCHOOL

2002-2003 FOUNDATION AID

(Based on 2001-2002 Enrollment)

Weighted Pupil Units	Foundation Aid Per Unit	Total Foundation Aid	Mill Deduct	Net Payment
261.19	\$2347	\$613,013	\$88,346	\$524,667

PROJECTED 2003-2004 FOUNDATION AID

(Based on 2002-2003 Enrollment)

Weighted Pupil Units	Foundation Aid Per Unit	Total Foundation Aid	Mill Deduct	Net Payment
236.484	\$2497	\$590,501	\$99,389	\$491,112

Although the weight factors in SB 2154 are slightly increased for kindergarten and elementary, and decreased slightly for junior high, the big drop in the weight factor for high schools under 75 amounts to a loss of \$27,000 for our high school and an overall loss of \$33,555. This is assuming the taxable valuation does not rise, which it probably will.

FOUNDATION AID

(Using 2002-2003 enrollment and current weight factors)

Weighted Pupil Units	Foundation Aid Per Unit	Total Foundation Aid	Mill Deduct	Net Payment
251.600	\$2347	\$590,505	\$88,346	\$502,159

FOUNDATION AID

(Using 2002-2003 enrollment and proposed weight factors)

Weighted Pupil Units	Foundation Aid Per Unit	Total Foundation Aid	Mill Deduct	Net Payment
236.484	\$2497	\$590,501	\$99,389	\$491,112

With the proposals in the legislature, we would lose \$11,047 even if our enrollment stayed exactly the same and the taxable evaluation would not rise.

Current high school payment: $1.4663 \times \$2347 = \3441

Proposed high school payment: $1.2276 \times \$2497 = \3065

This is a loss of \$376 per high school student.

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Yherosa J. Lee
Operator's Signature

10-16-03
Date

HOUSE EDUCATION COMMITTEE
Presented by Daniel L. Fremling, President of the Fargo Board of Education

My name is Dan Fremling and I currently serve as the President of the Fargo Board of Education

for the Fargo Public Schools. I have been on the Board of Education since the fall of 1998 and have served as President since July of 2002.

I am here this morning to ask you to restore 13.5 million dollars to SB2013 and I prefer that this increase the per pupil payment in SB2154 through the foundation aide payment. This restoration of funds is vital to our district's continued ability to manage and support our students' quality of education. These funds are also important to our district's ability to hire and retain quality teachers. Without it, our teachers' future salary increases will be very minimal.

With regard to SB2182, the mill levy deduct, the Senate increased this from 32 mills to 36 mills with a 2% annual increase with no cap. No proportional return of funds was provided through the foundation aide formula. In other words, at the same time as the mill levy deduct increased, the Senate removed 13.5 million from SB2013.

In conclusion, our preference is a return of the 13.5 million and equitable treatment of the mill levy deduct. If funds cannot be restored, at minimum we would ask that you leave the mill levy deduct at its current level of 32 mills.

I would be happy to respond to any questions you may have for me.

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Dan Fremling
Operator's Signature

10-16-03
Date

Madam Chairman and members of the House Education Committee, my name is Eric Henrickson. I am a third grade teacher and the Vice President of the Fargo Education Association. I am asking this committee to restore the funding that was originally provided in SB 2154 and to assure a mechanism that would help increase teacher pay across the state.

Last session the legislature made historic changes in the way teacher compensation was distributed. As an educator in the state I want to say thank you for your vision, and ask for you to uphold the great things that were done.

The passage of No Child Left Behind has changed the face of education, and the way we have traditionally funded teacher compensation needs to change as well. I'm not sure if people outside the school realize how much added pressure has been placed on staff members. I have visited with excellent teachers who are in buildings labled "failing schools." The weight that has been put on their shoulders is enormous. I have seen veteran teachers to their breaking point from the amount of stress that this bill has caused. With this increased pressure from testing how are we going to be able to lure young educators to this state, or keep veteran teachers where they are? We need to pay them the money they deserve.

I want to thank you for your time today, and once again ask you to restore the funding in SB 2154.

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

ND House Education Committee
State Capitol
Bismarck, ND

Dear House Members:

My name is Wayne Lingen and I serve as the superintendent of the Bisbee-Egeland and Cando School Districts. I would urge you to put more money into foundation aid in SB 2154. I would also like the weighting factor restored for the small high school. The weighting factor would affect the Bisbee-Egeland School District.

I have been a superintendent in North Dakota for about 28 years. Each year we seem to battle the same issues. I can remember a number of years ago everybody talked about 70% funding for education, from the State of North Dakota, while some schools might be there, the two that I represent aren't even close. The Bisbee-Egeland School District receives 38% from the State; 55% from the local and the rest comes from Federal funding and other sources to operate their school district. The Cando District receives 49% from the State; 42% from the local; and 8% from the Federal and other sources to operate their school district. The figures used for this comparison were taken from the annual school district report for each school district.

As I see current legislation, the burden of operating schools the size of Bisbee-Egeland and Cando will be put back on the local taxpayer.

On the equity issue, don't we have to include all revenue to equalize things State-wide and not just use the mill deduct to equalize between land rich and land poor districts? Why are we not sharing the coal and oil from those areas of the State? Also, I would like to know what is equity? Could it not mean many different things depending on the situation?

I would like to see the teacher compensation package put back into the bill. This would benefit both districts by having that restored. Under the present setup Cando would lose about \$3,000 under this format of 2154 and applying the mill deduct from SB 2182. The Bisbee-Egeland District would lose closer to \$60,000 on foundation aid for next year.

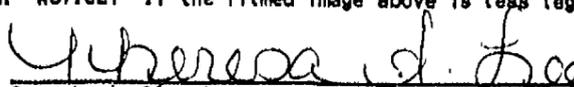
We want to encourage consolidation, but the way everything is structured school districts will not want land without a lot of students because it would put you into the land rich category. For instance, we came close a few years ago of putting together all the schools in Towner County in one district. Cando would have than become a land rich district.

Thank you for the opportunity to express my feelings on Foundation Aid for next year.

Sincerely,

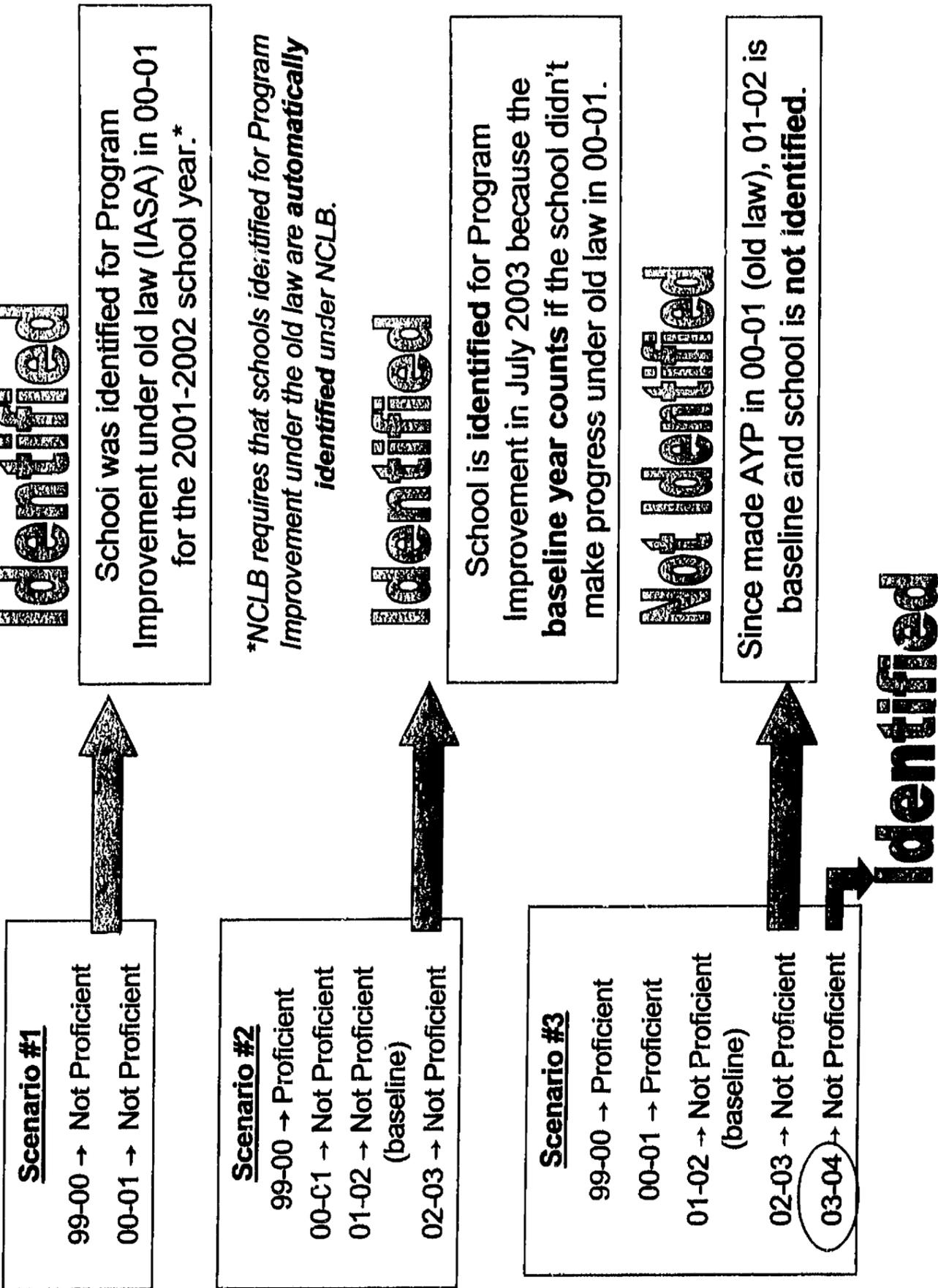

Wayne Lingen, Supt.

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Identification Process for Program Improvement Scenarios Under NCLB



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Yuberaca J. Lee 10-16-03
Operator's Signature Date

President Bush's 2004 Education Budget

Historic Funding Invests In North Dakota's Future

Despite all the priorities competing for our tax dollars – strengthening our economy, defending our nation, and expanding opportunities for all Americans – the President's budget boosts education funding to \$53.1 billion – the largest dollar increase of any domestic agency. This represents an \$11 billion increase since the President first took office.

The President's Budget Provides Historic Levels of Funding for America's Children Most in Danger of Being Left Behind by:

- Increasing Title I funding by \$1 billion – to \$12.4 billion – to help children succeed in our nation's high-poverty area schools.
- Increasing Special Education funding by \$1 billion – to \$9.5 billion – the highest level of federal funding ever requested by a President for children with disabilities. This funding provides an estimated \$1,426 for each of 6.6 million special education students.
- Increasing Pell Grant funding by \$1.9 billion – to \$12.7 billion – and Increasing Student Aid by more than \$3 billion to help make higher education more accessible and affordable.
- Increasing reading funding to more than \$1.1 billion for the President's Reading First and Early Reading First programs.
- Providing \$756 million to empower parents with new choices and expanded options if their children are not learning.
- Providing more than \$4.5 billion to support teachers – the heart of our schools – through training, recruitment, incentives, loan forgiveness, and tax relief.
- Providing \$390 million to help states improve accountability systems with annual assessments in grades 3 through 8.
- Providing \$300 million to increase the number of mentors for children in need.

Significant increases for Special Education, Title I, and Pell Grants alone comprise about 1/3 of the new discretionary dollars the President is seeking for his entire domestic agenda. No other domestic agency has three programs receiving such monumental increases.

The President's Budget is Great News for North Dakota's Children & Families

- Increases federal education funding in North Dakota to more than \$179.7 million – \$32 million more than when the President took office.
- Provides more than \$93.5 million to help North Dakota implement the reforms of No Child Left Behind.
- Increases Title I funding to more than \$11 million over 2001 levels – to help North Dakota's neediest children.
- Increases Special Education Grants to North Dakota to more than \$21 million – \$7.7 million over 2001 levels.
- Provides more than \$40 million in Federal Pell Grants to help ensure a college education for North Dakota students who otherwise might not be able to afford one.
- Provides access to more than \$2.5 million in Reading First funding to ensure that every child in North Dakota learns to read by the third grade.
- Provides more than \$13.5 million to attract and retain highly-qualified teachers in North Dakota classrooms.
- Provides more than \$3.5 million for annual assessments so every mom and dad in North Dakota will know how well their children are learning and where they need improvement.

The President's budget reflects his strong commitment to the people of North Dakota. It works to strengthen our investment in our nation's economic future – one child at a time.

Source: U.S. Department of Education Budget Service. All dollar amounts are estimates as of 2/3/03.

For more information, please visit: www.NoChildLeftBehind.gov

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Operator's Signature

Yherosa J. Lee

Date

10-16-03

DEPARTMENT OF EDUCATION
Funds for State Formula-Allocated and Selected Student Aid Programs for
North Dakota

Page 39

	2002 Actual	2003 Estimate	2004 Estimate	Change from 2003 Estimate
ESEA Title I Grants to Local Educational Agencies	28,629,873	30,591,234	32,722,461	2,131,227
Reading First State Grants	2,158,750	2,384,319	2,510,000	125,681
Even Start	1,127,500	1,120,106	795,000	-325,106
State Agency Program--Migrant	222,679	222,340	222,679	339
State Agency Program--Neglected and Delinquent	58,057	58,866	58,057	-809
Comprehensive School Reform (Title I)	558,125	554,418	0	-554,418
Subtotal, Education for the Disadvantaged	30,653,064	34,929,283	38,308,197	1,378,914
Impact Aid Basic Support Payments	25,828,353	24,302,501	24,958,729	656,228
Impact Aid Payments for Children with Disabilities	919,080	1,035,871	1,022,765	-12,806
Impact Aid Construction	541,896	697,887	702,422	4,565
Impact Aid Payments for Federal Property	93,930	1,081,831	979,529	-82,102
Subtotal, Impact Aid	27,473,289	27,097,990	27,663,445	565,455
Improving Teacher Quality State Grants	13,587,183	13,985,246	13,587,183	-398,063
21st Century Community Learning Centers	1,822,708	2,755,958	2,940,000	184,042
Educational Technology State Grants	3,075,155	3,214,970	3,351,207	136,237
State Grants for Innovative Programs	1,911,525	1,899,100	1,911,525	12,425
State Assessments	3,473,725	3,496,025	3,518,328	22,301
Education for Homeless Children and Youth	150,000	150,000	150,000	0
Rural and Low-Income Schools Program	85,487	88,198	0	-88,198
Small, Rural School Achievement Program	1,118,022	1,150,724	0	-1,150,724
Indian Education--Grants to Local Educational Agencies	1,551,662	1,541,781	1,551,662	10,081
Fund for the Improvement of Education--Comprehensive School Reform	185,587	184,481	0	-184,481
Safe and Drug-Free Schools and Communities State Grants	2,307,865	2,292,555	2,058,365	-234,190
State Grants for Community Service for Expelled or Suspended Students	250,000	245,375	0	-245,375
Language Acquisition State Grants	500,000	500,000	500,000	0
Subtotal, All of the Above Programs Comprising the No Child Left Behind Act of 2001	87,613,220	93,494,266	93,618,090	23,824
Special Education--Grants to States	16,520,608	19,721,781	21,471,308	1,749,527
Special Education--Preschool Grants	839,536	831,821	848,965	15,144
Grants for Infants and Families	2,043,288	2,127,667	2,190,762	63,095
Subtotal, Special Education	19,403,432	22,681,269	24,509,035	1,827,766
Vocational Rehabilitation State Grants	8,188,563	8,356,493	8,803,507	447,014
Client Assistance State Grants	120,724	122,459	122,459	0
Protection and Advocacy of Individual Rights	147,782	164,200	173,823	9,623
Supported Employment State Grants	300,000	300,000	0	-300,000
Independent Living State Grants	297,581	295,647	297,581	1,934
Services for Older Blind Individuals	225,000	225,000	225,000	0
Protection and Advocacy for Assistive Technology	50,000	50,000	0	-50,000
Subtotal, Rehabilitative Services and Disability Research	9,328,650	9,613,799	9,622,370	108,571
Vocational Education State Grants	4,214,921	4,214,921	0	-4,214,921
Tech-Prep Education State Grants	383,366	380,874	0	-380,874
Secondary and Technical Education State Grants	0	0	4,052,760	4,052,760
Adult Basic and Literacy Education State Grants	0	0	1,359,608	1,359,608
Adult Education State Grants	1,278,308	1,271,433	0	-1,271,433
English Literacy and Civics Education State Grants	60,000	60,000	0	-60,000
State Grants for Incarcerated Youth Offenders	29,737	32,151	0	-32,151
Subtotal, Vocational and Adult Education	5,866,332	5,859,379	5,412,368	-547,011
Federal Pell Grants	38,800,000	41,000,000	40,100,000	-900,000
Federal Supplemental Educational Opportunity Grants	3,049,865	3,197,218	3,049,865	-147,351
Federal Work-Study	3,492,116	3,469,417	3,492,116	22,699
Federal Perkins Loans--Capital Contributions	450,841	447,911	0	-447,911
Leveraging Educational Assistance Partnership	179,572	176,405	0	-176,405
Federal Direct Student Loan Program	7,423	8,105	8,859	854
Federal Family Education Loan Program	127,450,252	140,504,480	161,237,461	10,732,981
Byrd Honors Scholarships	91,500	91,500	91,500	0
Total	296,734,203	320,545,747	331,041,464	10,495,717

NOTE: For fiscal year 2004, the President is proposing to replace the current vocational and adult education State grant programs with two new formula programs: Secondary and Technical Education State Grants, which is requested at \$1 billion; and Adult Basic and Literacy Education State Grants, which is requested at \$584.3 million. The amount showing for each proposed program is a preliminary estimate which may change after authorizing legislation is enacted.

Compiled for posting on the WEB by the Budget Service on March 5, 2003.

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10-16-03
Date

**TESTIMONY ON REENGROSSED SENATE BILL NO. 2154
HOUSE EDUCATION COMMITTEE
MARCH 11, 2003**

Good morning Chairman Kelsch and members of the House Education Committee. I am Joe Morrissette, Assistant Executive Budget Analyst with the Office of Management and Budget. I am here to testify on Reengrossed Senate Bill No. 2154 and request your consideration of amendments to return certain sections of the bill to the form introduced by the Office of Management and Budget. The Office of Management and Budget introduced Senate Bill No. 2154 in support of the executive budget recommendation for state school aid and teacher compensation payments.

The bill has changed significantly from the form in which it was introduced and I would like to briefly comment on several sections of the bill.

Section 1 of the reengrossed bill increases per student payments by 6.4 percent the first year of the 2003-05 biennium and by 4.9 percent the second year. The executive recommendation proposed per student payment increases of 3.5 percent the first year of the biennium and 4 percent the second year. The additional increase in per student payments included in the reengrossed bill is accomplished primarily by increasing the mill deduct (SB 2182), not by increasing funding. The Senate increased the executive recommendation for per student payments by \$1.3 million, but reduced the teacher compensation program by \$14.4 million. **The Governor's Office requests that the \$14.4 million reduction to the executive budget for teacher compensation payments be restored to increase teacher compensation payments and continue the progress made during the current biennium to improve teacher salaries.**

As included in the original bill and recommended by the Governor, sections 2 and 3 of the bill adjust weighting factors from the arbitrarily set statutory factors to the factors representing actual educational expenditures. Currently, statutory factors are adjusted by 75 percent of the difference between the statutory factors and the factors representing the actual five-year average educational expenditures. The executive recommendation proposes to adjust statutory factors by 85 percent of the difference the first year of the biennium and provides that for the 2004-05 school year, and all subsequent school years, weighting factors will be based on the actual five-year average

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educational expenditures. Weighting factors are included in the state school aid formula to address differences in educational costs realized by different size school districts. Ensuring that these factors are based on actual expenditures is an important step in improving the equity of the school funding formula.

However, section 2 has been amended to combine the weighting factors for the two smallest categories of high schools. It is unclear how this will impact equity. It is clear that this change will have a significant negative impact on the payments for small high school districts.

Section 4 of the bill modifies the existing formula used to distribute supplemental equity payments. The proposed change to this section would base eligibility on total school district revenue, rather than educational expenditures per student and taxable valuation per student. The Governor's office believes supplemental equity payments should continue to be distributed based on the existing statutory formula to target funds to the most needy districts. The only change to existing law should be that included in the original bill, which allowed DPI to adjust the formula to ensure the distribution of all appropriated funds.

Section 5 continues the teacher compensation program authorized by the 2001 Legislative Assembly. The Governor proposed to increase teacher payments from the current level of \$3,000 to a maximum of \$3,500 in 2003-04 and \$4,500 in 2004-05. The Senate removed funding for the proposed teacher payment increase. **The teacher payment program is a priority in the executive budget and the Governor's Office requests that funding be restored to increase teacher compensation, as recommended.**

Chairman Kelsch, members of the committee, this concludes my testimony on Reengrossed Senate Bill No. 2154. I would be happy to try to answer any questions you have.

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March 11, 2003
SB2154
Gloria Lokken, NDEA

Chairman Kelsch and Members of the House Education Committee:

For the record, my name is Gloria Lokken. I am a fourth grade teacher on leave from Minot Public Schools to serve as President of the North Dakota Education Association.

We support restoring the funding to SB2154 along with a mechanism that would ensure an improvement to teacher salaries.

The 2001 Legislature made history by approving HB1344---the first Teacher Compensation Bill---and recognizing the need to recruit and retain teachers in North Dakota's public schools. As you recall, HB1344 set aside a certain amount of money that school districts could only receive if they increased teacher compensation. This money went to FTE (Full-Time-Equivalent) teachers.

This new approach to funding schools made a difference---most North Dakota educators gained the greatest salary increase they had seen in 20 years---since 1983. It also made a difference in our educators choosing not to leave the state or the teaching profession. And it allowed new graduates to pursue teaching assignments in our state.

Now, we are asking YOU to sustain and improve the teacher compensation package by earmarking money for teacher salaries.

The education arena has changed greatly. Our teachers realize there are opportunities in other states. In fact, many are being aggressively recruited. The teacher shortage is nationwide. States are competing for a limited supply of teachers, and the number of teachers who will retire within the next few years is staggering. In North Dakota alone, 38 percent of our teachers are eligible to retire in the next eight to ten years. To retain our people and to interest prospective teachers, we must continue to enhance salaries. We must do better; we have been 50th in salaries for too many years.

The argument we are now hearing is that the salaries are better, so we should put the teacher compensation money back into foundation aid. Districts are saying they know they must increase salaries, but they want the decisions made at the district level. We have a long history of working with foundation aid payments and negotiating for salaries. We know increases in foundation aid do not translate into salary increases.

Teaching may be a calling, but it shouldn't be a sacrifice. The foundation aid program only worked because teachers made the sacrifice. In fact, they not only accepted low salaries; they dug deep into their own pockets to supplement their classroom materials. More than likely, we'll continue to spend on our students, but on behalf of future teachers and ourselves, we are no longer willing to accept the leftovers as salaries.



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In the past twenty years, the percentage of state support has decreased, and more of the funding has transferred to local property taxes. In 1982, we ranked 30th in U.S. teachers' salaries; in 2002, we ranked 50th. In 1985, funds from local sources were 35 percent, and in 2002, funds from local sources were 43 percent. North Dakota must do better. Our state has a constitutional obligation to fund public schools and that means providing the resources that are needed.

We know money spent for things that really matter, such as attracting and retaining qualified staff, makes a positive difference in the education of students. It really is all about students. We want to keep quality staff in our classrooms. We do not want them replaced with TVs and correspondence courses.

While progress was made during the last legislative session, we have a lot of work to do. To maintain recruiting and retaining quality teachers for North Dakota students, we must find a way to continue earmarking money for teacher salaries.

We urge the House Education Committee to restore the funding to SB2154.

Thank you Chairman Kelsch and members of the Committee. Joe Westby will follow with additional testimony on SB2154, but if you have any questions for me, I will be happy to answer them at this time.

Madam Chair Kelsch and Members the House Education Committee

The North Dakota Legislature passed the reorganization bonus law (NDCC 15.1-12-11.1) in 1999. Since then, there has been three different plans that received bonuses: Langdon-Milton-Osnabrock, Mott-Regent and Towner-Granville-Upham.

Berthold-North Shore-Plaza started working on their reorganization project in September, 2001. In November, 2002, the project was approved with 83% of the patrons in the three districts voting in favor of the proposed reorganization. The patrons of the three districts were told if the reorganization vote was favorable and all other requirements were in place, the newly reorganized district would receive a ½ million dollar bonus from the state under NDCC 15.1-12.11.1.

The new district has elected a board and will start operation on July 1, 2003. Committees from the three districts are working to coordinate areas in finance, curriculum, technology, transportation, etc. Public meetings were held to keep patrons informed--teachers were "riffed" and new teachers hired for the reorganized district.

The executive budget called for \$500,000 in reorganization bonuses and the Senate approved an appropriation of \$2,000,000 for reorganization bonuses in SB 2154. Currently the \$2,000,000 approved by the Senate is listed as "contingent monies" for reorganization purposes.

If the newly reorganized district of Berthold-North Shore-Plaza does not receive a reorganization bonus, a negative message will be sent to the patrons of North Dakota Schools regarding future incentives.

Please allow me to call your attention to NDCC 15.1-12-11.1 which is attached.

Madam Chair Kelsh and Committee members you have a copy of a proposed amendment to Section 11 of SB 2154 and I move its adoption.

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ANNEXATION, REORGANIZATION, AND DISSOLUTION 15.1-12-11.1

6. If a majority of electors residing within each school district vote to approve the reorganization plan, the county superintendent shall make the necessary adjustments of property, debts, and liabilities and perform all duties required by law in order to establish and organize the new school district.

Source: S.L. 1999, ch. 196, § 12.

DECISIONS UNDER PRIOR LAW

Effect of Amendment.

After the state board approved a proposed 188 mill levy in revised restructuring proposal in December 1992, the legislature chose to abridge restructured school districts' taxing power by imposing a mill levy limit in cases where an election resulted in some, but not all, consortium participants voting to restructure and those districts voting in favor of restructuring proceeding to form a new district; thus, regardless of the situation existing in December 1992 when the state board approved the revised restructuring plan with a proposed mill levy of 188 mills, by the time the new school district came into existence, as of July 1, 1993, it was subject to the mill levy limit. *Hodek v. Greater Nelson County Consortium*, 520 N.W.2d 825 (N.D. 1994).

Redistricting.

A plain reading of former section 15-27.3-08 discloses that only an initial proposal must be put to a vote; once a vote has been taken, however, and some, but not all, districts vote

in favor of a new district, the new interim district board can, without an election, adopt a new proposal and determine the tax levy. *Hodek v. Greater Nelson County Consortium*, 520 N.W.2d 825 (N.D. 1994).

Tax Levy.

Subsection 3 of former section 15-27.3-08, as amended by H.B. 1003 in the 1993 legislative session, gave the interim board of merging districts authority to make a determination of tax levy different than the one in the original proposal, and the trial court erred in limiting the district's maximum general fund mill levy to the levy allowed by the original proposal. *Hodek v. Greater Nelson County Consortium*, 531 N.W.2d 280 (N.D. 1995).

Nothing in subsection 3 of former section 15-27.3-08 authorized including add-ons to mill levies permitted over the years by § 57-15-01 or using existing mill levies by districts, before they merged, but subsection 3 set a mill levy limit without reference to the existing levies of the districts joining to form the new district. *Hodek v. Greater Nelson County Consortium*, 531 N.W.2d 280 (N.D. 1995).

15.1-12-11.1. Reorganization bonus — Eligibility — Distribution.

1. If a school district reorganizes with one or more contiguous school districts or portions of districts, the newly reorganized district is entitled to receive a reorganization bonus, provided at least one of the reorganizing districts is a high school district and that the newly reorganized district:
 - a. Consists of at least eight hundred square miles [207198 hectares];
or
 - b. Consists of at least five hundred square miles [129499 hectares], has a student enrollment of at least five hundred twenty, and had no practical reorganization alternatives that would have allowed it to meet the requirements of subdivision a.
2. The total reorganization bonus to which a newly reorganized district is eligible consists of:
 - a. Fifty thousand dollars per one hundred square mile [25899 hectares] block, or a major portion thereof, included within the reorganized district and calculated by determining the lesser of the total square mileage [hectares] of the reorganized district or one thousand four hundred square miles [362597 hectares], and subtracting from that amount the square mileage [hectares] of the largest district or portion of a district involved in the reorganization;

Yheresa J. Lee

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15.1-12-11.2 ELEMENTARY AND SECONDARY EDUCATION

- b. One thousand dollars per student calculated by determining the lesser of the total fall enrollment of the newly reorganized district or seven hundred fifty and subtracting from that amount the fall enrollment in the district or portion of the district that had the largest student population of those districts or portions of districts participating in the reorganization during the school year immediately preceding the effective date of the reorganization; and
 - c. Fifty thousand dollars for each whole school district that formed the reorganized district.
3. The superintendent of public instruction shall distribute the reorganization bonus to each eligible reorganized district during the month of December, following the effective date of the district's reorganization.

Source: S.L. 1999, ch. 199, § 1; 2001, ch. 180, § 3.

Effective Date.

The 2001 amendment of this section by section 3 of chapter 180, S.L. 2001 became effective August 1, 2001.

Note.

Section 2 of chapter 199, S.L. 1999, effective August 1, 1999, provides: "Reorganization bonus — Distribution — Limitation. For purposes of distributing reorganization bonuses, the superintendent of public instruction shall determine the eligibility of reorganized districts chronologically, according to the date on which each district's reorganization plan was approved by the state board of public school education. After all other statutory obligations have been met within the

limits of legislative appropriations, the superintendent of public instruction shall make the distribution of reorganization bonuses from funds made available in the grants — foundation aid and transportation line item in Senate Bill No. 2013 (S.L. 1999, ch. 35, § 1) as approved by the fifty-sixth legislative assembly, for the 1999-2001 biennium, provided the superintendent may not expend more than two million dollars during the 1999-2001 biennium for the purpose of this Act. No reorganization bonus payable under this Act may exceed five hundred thousand dollars. A reorganized district that receives a reorganization bonus under this Act is not eligible to receive additional reorganization bonuses based on future reorganization efforts for a period of ten years."

15.1-12-11.2. Reorganization bonus — Advanced payment.

- 1. If the boards of two or more school districts vote to study the feasibility and desirability of reorganizing with each other, the boards may apply to the superintendent of public instruction for an advanced reorganization payment.
- 2. The superintendent of public instruction shall advance a payment of fifteen thousand dollars to the board of each school district that voted to study the reorganization, provided that at least one of the participating districts is a high school district and that the districts, if reorganized, would qualify for a reorganization bonus under section 15.1-12-11.1.
- 3. If the school districts reorganize, the superintendent of public instruction shall deduct any money advanced under this section from the amount of the bonus due the newly reorganized district under section 15.1-12-11.1.
- 4. If the school districts fail to reorganize, each district must repay the amount advanced by the superintendent of public instruction under this section, at the time and in the manner determined by the superintendent of public instruction.

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Date



NORTH DAKOTA READING ASSOCIATION

a unit of the International Reading Association - www.reading.org
Committed To Universal Literacy

Heading is the Bounty of Life

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Dear Representative Rae Ann Kelsch,
I, on behalf of the North Dakota Reading Association, am writing in support of Senate bill # 2154, the appropriation bill which includes funds for implementing reading programs.

As a reading specialist, I am well aware of the extensive goals set forth as part of the No Child Left Behind legislation. North Dakota educators are going to need additional resources to help all North Dakota students reach proficiency in reading as prescribed in the Leave No Child Behind Act.

President Bush's new Reading First program is a wonderful program, but is going to benefit so very few schools in North Dakota. This appropriation would provide an opportunity for all schools in North Dakota to have access to reading materials that are based upon scientifically based research. Scientifically based research comes out yearly detailing best practices, yet funding, to meet the needs of the students, is not currently available.

All school districts are facing budget crunches. Schools order basal reading series every 6 to 8 years. Between textbook selection periods no funding is available to allow teachers to stay current with their reading teaching materials.

This bill would allow teachers to keep their resources in line with recent research on reading, including the best practices, and the directives of the National Reading Panel Report.

This bill would make possible funding for books and supplemental materials that are badly needed by teachers serving a diverse and ever changing population.

It is in everyone's best interest to allow our children to be instructed with what has been proven by scientifically based research to be among the best practices, and therefore make the most efficient use of their learning time. The North Dakota Reading Association strongly requests your support of this funding for these programs.

Pam Rettig
Reading Specialist, Bismarck Public Schools
Milken Educator
North Dakota Reading Association President

Recipient, IRA Award of Excellence 2002

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10-16-03
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Payment Factors	2002-03	2003-04	2004-05
1. Per student payments	\$ 2,347	\$ 2,486	\$ 2,609
2. Taxable valuation increase			3.6%
3. Mill deduct	0.032	0.034	0.036
4. Weighting factor percent of five year average	75%	85%	100%
5. Percentage of appropriation paid each year		49.67%	50.33%
6. Funding Proposal: RK 3/28/2003 34/36			\$ 484,379,990
7. No change in HS Weighting Factor Categories			
RK 3/28/2003 34/36		-	479,379,990
		-	5,000,000

Revised 3/31/03

Column descriptions for Foundation Aid Per Student Payment Projection

DNAME	District name.
DTYPE	District type. 1 = high school, 2 = graded elementary, 3 = one room rural (grades K-8), 4 = non-operating.
Actual Pay 00-01	The actual net entitlement for the district for the current school year. Reconciles to (lines 5a + 5b) - (lines 6a + 6b) on the PI3-940 Foundation Aid Payment report. It is included for reference purposes. It includes the wpu adjustments identified in adjustments identified in the NOTE below that are not included in the projection.
Actual Pay wpu 00-01	The actual weighted pupil units (wpu) the district payments were based on for the current school year. It is included for reference purposes.
Repeat for each of the three years presented. xxxx represents the school year end.	
Enr xxxx	Actual/projected school district enrollment. Actual enrollments are from line 10 of the PI3-940 Foundation Aid Payment report.
Enr wpu xxxx	Weighted pupil units calculated by applying the appropriate weighting factor for each district size/grade-level category based on enrollments. NOTE: The weighted unit calculations do not include adjustments for prior year ADM if higher, small isolated schools, alternative high schools, reorganized districts, or ND students attending bordering states. These are estimated at the state level.
Gross Pay xxxx	Weighted pupil units multiplied by the base per student rate.
Deduct xxxx	Taxable valuation times the mill deduct rate. This line also includes the excess fund balance deduct.
Net Pay xxxx	Projected school district payment after deducts. (Gross Pay xxxx minus Deduct xxxx).
Year 1 change	Computes the percentage change from the current payment year to the first year of the next biennium.
Year 2 change	Computes the percentage change from the first year of the next biennium to the second year of the next biennium.

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Foundation Aid Per Student Payment Projection for 2003-05 Biennium Budget

ID	DNAME	1. 2002-03 Actual Net Enrollment (June 03)		2. 2002-03 Payment Year If Based on 2002 Fall Est. Only		3. 2003-2004 Projection Projected from 2002 Fall Est.		4. 2004-2005 Projection Projected from 2002 Fall Est.		Year 1 change	Year 2 change					
		Actual Pay 02-03	Actual Pay 03-03	Ear 02-03	Ear 03-03	Proj Ear 03-04	Proj Ear 04-05	Ear 02-03	Ear 03-04			Proj Ear 04-05	Net Pay 04-05	Net Pay 03-04		
10013	Hallinger 13	755,904	403	374	877,356	344	345	344	345	317	317	227,855	599,476	599,476	-5.5%	-7.8%
20012	Valley City 2	2,343,051	1,176	1,218	2,746,084	66	78	66	78	1,070	1,070	279,527	2,795,527	2,795,527	-1.2%	-1.0%
20013	Orinda 13	130,254	81	88	185,929	87	105	87	105	78	78	74,028	283,336	283,336	1.1%	1.0%
20052	Litchville 52	154,928	110	109	248,623	154	153	154	153	103	103	128,829	140,530	140,530	-0.9%	-1.5%
20065	N Central 65	320,798	213	199	484,964	155	153	155	153	186	186	484,475	264,641	264,641	-3.0%	-4.9%
20082	Winnabow-Coverdell 82	314,839	204	161	468,677	153	137	153	137	134	134	203,615	202,974	202,974	-3.4%	-3.5%
20085	Milwaukee 85	327,188	204	117	332,335	188	230	188	230	108	108	52,491	297,775	297,775	1.4%	1.6%
20086	Lewis 86	424,931	236	236	540,182	236	236	236	236	236	236	144,175	513,985	513,985	1.3%	-1.5%
20089	Madison 89	514,911	270	270	633,925	270	270	270	270	252	252	574,879	416,587	416,587	0.9%	0.7%
20016	Obenon 16	117,960	83	56	131,925	47	53	47	53	52	52	136,401	101,062	101,062	-2.1%	0.5%
20030	Warwick 30	548,428	248	203	572,175	194	237	194	237	236	236	616,598	407,880	407,880	2.6%	4.3%
40017	Flint Hills Co 1	513,281	220	189	454,825	187	186	187	186	191	191	495,582	496,024	496,024	1.7%	8.0%
5001	Bellefleur 1	1,589,069	783	804	1,887,083	78	85	78	85	78	78	2,528,135	496,024	496,024	1.7%	8.0%
50013	Wishaw City 13	153,167	90	82	157,742	70	78	70	78	703	703	300,848	1,533,422	1,533,422	-1.2%	-1.7%
50017	Westhope 17	382,863	209	152	445,930	146	162	146	162	62	62	160,561	90,785	90,785	-1.6%	-6.7%
50015	Lansford 15	318,838	39	30	40,643	27	31	27	31	175	175	456,793	131,219	131,219	-1.5%	-2.4%
50054	Newburg-United 54	78,467	425	98	228,724	76	76	76	76	25	25	76,863	64,509	64,509	-3.2%	-34.8%
6001	Bowman 1	857,033	425	98	953,438	401	400	401	400	90	90	234,032	183,314	183,314	-1.4%	-2.4%
60017	Rhame 17	203,765	114	76	217,968	73	89	73	89	389	389	1,013,696	843,861	843,861	-1.4%	0.5%
70014	Scranton 14	441,088	233	159	583,438	142	142	142	142	185	185	483,223	354,762	354,762	-4.0%	2.4%
70017	Powers Lake 17	228,085	134	102	292,647	100	120	100	120	97	97	305,233	197,444	197,444	-1.5%	-1.9%
8001	Burke Central 36	191,833	137	108	347,215	114	142	114	142	139	139	361,746	75,647	75,647	0.9%	0.9%
80017	Bismarck 1	253,089	151	137	321,023	103	129	103	129	124	124	324,123	286,099	286,099	-6.6%	-3.3%
8002	Regan 2	20,513,974	10,368	10,484	24,282,351	10,458	10,301	10,458	10,301	10,435	10,435	26,790,251	173,073	173,073	4.4%	3.6%
80025	Neighborhood 25	11,989	15	9	22,786	9	10	9	10	9	9	26,012	26,717	26,717	-85.4%	-100.0%
80028	Wing 28	6,969	6	5	13,988	5	6	5	6	5	5	16,020	8,588	8,588	4.2%	2.4%
80029	Baldwin 29	18,175	25	22	215,431	78	92	78	92	75	75	237,659	72,011	72,011	4.2%	1.6%
80033	Menomonie 33	48,727	34	21	59,379	22	26	22	26	28	28	68,644	48,172	48,172	11.2%	13.8%
80035	Stearns 35	50,964	45	43	57,173	43	46	43	46	21	21	65,513	41,641	41,641	1.6%	1.9%
80039	Apple Creek 39	83,155	55	49	108,343	43	46	43	46	46	46	119,877	70,716	70,716	-2.0%	-1.9%
80045	Manning 45	11,982	7	4	18,820	4	5	4	5	5	5	148,664	56,758	56,758	4.1%	6.1%
9001	Fargo 1	21,184,579	11,172	11,149	22,985,216	5,477	5,477	5,477	5,477	5	5	12,419	6,776	6,776	3.5%	2.0%
90017	Knotted 17	1,288,656	677	715	1,587,316	668	668	668	668	11,002	11,002	28,176,572	21,998,105	21,998,105	3.5%	2.8%
9004	Maple Valley 4	371,410	242	155	522,090	193	221	193	221	705	705	377,608	1,328,949	1,328,949	1.9%	1.4%
9006	West Fargo 6	9,996,641	5,186	5,262	12,127,888	5,226	5,137	5,226	5,137	5,104	5,104	13,316,541	10,500,617	10,500,617	2.5%	2.9%
90017	Mapleton 17	218,882	127	105	285,301	105	124	105	124	126	126	327,750	97,369	97,369	7.0%	5.0%
90017	Central Cass 17	1,585,484	817	858	1,916,795	852	804	852	804	848	848	2,067,468	1,660,175	1,660,175	2.7%	2.0%
9000	Page 80	296,337	154	129	313,700	129	136	129	136	128	128	384,224	235,701	235,701	6.5%	6.3%

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

Foundation Aid Per Student Payment Projection for 2003-05 Biennium Budget

ID	DNAME	1. 2002-03 Actual Net Enrollment (Line 03)		2. 2002-03 Payment Year If Based on 2002 Fall Est. Only		3. 2003-2004 Projection Projected from 2002 Fall Est.		4. 2004-2005 Projection Projected from 2002 Fall Est.		Year 1 change %	Year 2 change %
		Actual Pay 03	Actual Pay 02	Est 03-03	Est 03-04	Proj Est 03-04	Proj Est 04-05	Proj Est 04-05	Proj Est 04-05		
9007	Northern Cass	818,522	476	459	458	453	445	453	445	1.7%	1.7%
10014	Borier-Central 14	2,645	42	27	33	25	30	24	24	-8.1%	-6.6%
10019	Munch 19	206,429	168	126	156	116	143	108	108	-8.5%	-0.4%
10023	Lampton Area 23	902,324	543	546	526	505	480	473	441	1.5%	0.1%
11040	Elendale 40	707,383	381	374	374	370	367	363	358	2.4%	1.4%
11041	Oakes 41	963,820	517	527	516	503	503	508	499	4.8%	1.0%
12001	Divide County 1	560,734	329	303	324	325	325	293	322	2.5%	7.0%
13006	Dodge 6	130,091	64	47	58	45	56	45	58	1.7%	1.8%
13015	Kilbuck 15	653,374	374	364	371	360	360	357	356	3.7%	4.8%
13017	Holiday 18	152,129	101	78	96	86	96	78	96	2.6%	3.7%
14001	Twin Buttes 37	786,987	65	46	52	45	51	44	44	4.5%	6.7%
14012	New Rockford 1	322,970	162	115	141	145	145	121	149	5.1%	7.3%
15006	Shenandoah 12	318,991	184	142	180	140	179	134	170	3.1%	-10.0%
15010	Hazebon-Moffitt-Standard 6	43,178	18	8	9	8	9	7	8	2.0%	0.0%
15012	Union 12	21,524	26	15	21	15	21	14	20	2.6%	0.6%
15015	Strasburg 15	544,006	269	207	253	206	240	196	241	2.7%	2.6%
15026	Linton 36	725,941	378	375	378	374	371	360	354	1.6%	-2.3%
16010	Carrington 10	1,202,237	646	633	625	627	595	591	553	1.6%	-0.0%
17003	Beach 3	713,433	357	342	351	316	351	296	334	5.0%	-2.0%
17006	Leak-Tate 6	114,350	97	51	57	48	54	28	45	3.4%	-6.6%
18001	Grand Forks 1	15,527,240	7,981	8,036	7,883	7,844	7,692	7,597	7,527	2.1%	1.4%
18044	Larimore 44	1,098,433	556	575	554	562	552	550	515	0.8%	-0.5%
18051	Thompson 51	962,400	472	477	462	445	444	455	455	0.2%	0.2%
18125	Manvel 125	323,700	116	176	181	171	182	168	184	5.2%	4.8%
18127	Emmons 127	214,891	116	97	110	94	108	93	109	2.4%	4.6%
18128	Midway 128	583,330	322	323	322	318	316	310	305	0.5%	0.8%
18129	Northwood 129	628,511	337	315	322	315	312	308	301	2.5%	1.3%
19018	Northwood 129	334,948	337	315	322	315	312	308	301	2.5%	1.3%
19049	Elgin-New Leipzig 49	595,874	308	244	279	273	257	206	251	-4.9%	-2.9%
20007	Midkiff 7	348,052	222	168	210	196	217	183	209	-5.6%	-1.4%
20018	Griggs County Central 18	627,086	344	340	345	321	317	319	319	-4.9%	-4.0%
21001	McIntire 1	697,437	381	306	336	326	321	274	309	-2.2%	-4.0%
22011	New England 9	454,708	255	202	236	202	224	183	209	-4.1%	-5.4%
22014	Perkins-Toddle 11	28,808	27	17	18	17	19	17	19	-1.2%	-4.0%
22020	Tulla-Peetbone 20	157,592	14	8	10	8	10	8	10	-1.4%	3.6%
22026	Steele-Denison 26	563,212	297	274	282	269	277	269	278	2.3%	4.7%
22028	Tappan 28	278,379	140	110	134	131	131	108	133	2.2%	5.3%
23003	Edgely 3	528,952	285	280	280	245	279	229	277	2.5%	2.5%

NC Department of Public Instruction

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3/3/2003 district projection 03-05.xls jac

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Operator's Signature

Yuberaca d. Lee

Date

10-16-03

Foundation Aid Per Student Payment Projection for 2003-05 Biennium Budget

ID	NAME	DTYPE	1. 2002-03 Actual Net Enrollment (Line 03)		2. 2002-03 Payment Year II Based on 2002 Fall Enr Only		3. 2003-2004 Projection Projected from 2002 Fall Enr.		4. 2004-2005 Projection Projected from 2002 Fall Enr.		5. 2005-06 Projection Projected from 2002 Fall Enr.		Year 1 change	Year 2 change
			Actual Pay 02	Actual Pay 03	Enr 02-03	Gross Pay 02	Enr 03-04	Gross Pay 03	Enr 04-05	Gross Pay 04	Enr 05-06	Gross Pay 05		
31002	Stanley 2	1	751,322	751,322	382	914,016	377	538,365	370	743,300	370	959,819	213,807	745,932
31003	Prairie 3	1	606,220	606,220	303	708,658	295	733,361	295	110,700	295	773,305	171,432	652,153
32001	Delaware Prairie 1	2	13,701	13,701	28	64,983	28	69,928	25	61,631	25	75,141	67,605	75,141
32006	Carroll 6	1	550,458	550,458	334	784,579	320	796,301	301	318,725	301	824,462	349,623	474,839
34001	Center 1	1	545,217	545,217	284	656,198	286	711,834	244	151,143	244	742,146	165,794	576,352
34005	Princeton 1	1	579,264	579,264	284	656,198	286	711,834	244	151,143	244	742,146	165,794	576,352
34006	Clarendon 6	1	334,950	334,950	184	431,613	175	459,910	194	126,279	194	445,314	145,458	299,856
34012	Valley 12	1	1,094,383	1,094,383	554	1,230,341	507	1,260,176	517	122,640	517	1,260,910	299,866	961,044
34019	Dayton 19	1	361,774	361,774	191	448,793	185	459,326	148	337,861	148	471,300	133,240	338,060
34027	Walsh 27	1	415,211	415,211	251	598,537	241	599,550	189	411,969	189	615,059	205,751	409,308
34043	St Thomas 43	1	592,109	592,109	314	726,678	295	732,665	290	575,009	290	742,172	172,500	569,672
34055	Neches 55	1	316,326	316,326	174	287,044	160	296,208	158	101,624	158	406,089	111,476	294,613
35001	Wolcott 1	1	180,400	180,400	99	286,352	96	296,208	93	179,255	93	303,094	128,251	174,843
35005	Rogby 5	1	153,130	153,130	86	178,865	72	179,952	56	124,562	56	184,147	59,773	124,374
36001	Devils Lake 1	1	1,144,907	1,144,907	619	1,338,115	544	1,351,057	524	54,090	524	1,367,771	372,731	995,040
36002	Edmore 2	1	3,978,518	3,978,518	1,911	4,348,249	1,862	4,458,406	1,821	3,906,290	1,821	4,596,553	1,690,263	2,906,290
36004	Stanheworth 44	1	228,206	228,206	133	311,963	129	321,066	129	168,790	129	330,124	161,038	169,086
37002	Sheldon 2	2	28,847	28,847	17	32,125	17	32,202	15	24,140	15	33,074	8,934	24,140
37005	St Paul 5	2	68,821	68,821	48	109,534	45	112,065	37	63,811	37	117,068	53,252	63,811
37019	Lebanon 19	1	29,394	29,394	21	48,747	20	49,367	19	21,508	19	53,303	30,779	22,524
37022	Endicott 22	1	1,280,924	1,280,924	627	1,470,419	608	1,511,441	628	278,129	628	1,526,193	305,091	1,221,102
38002	Shelwood 2	1	650,156	650,156	350	810,748	345	856,656	320	368,683	320	876,747	206,196	670,551
38009	Marshall 9	1	243,460	243,460	144	310,391	134	309,035	95	203,370	95	311,025	115,508	195,517
38025	Chatham 25	1	692,155	692,155	339	795,023	323	802,168	284	508,558	284	688,608	183,450	495,158
39005	Mantador 5	2	8,187	8,187	11	31,778	11	34,304	10	46,143	10	33,590	128,115	682,194
39008	Harrison 8	1	621,916	621,916	330	773,219	322	800,278	318	168,165	318	825,375	182,273	643,102
39018	Farmington 18	1	247,982	247,982	121	355,078	117	366,109	118	137,126	118	376,435	150,479	225,956
39028	Ligonwood 28	1	534,638	534,638	273	329,439	270	329,439	232	228,983	232	316,425	82,442	234,983
39037	Wabasha 37	1	2,594,973	2,594,973	1,465	3,463,444	1,426	3,543,080	1,469	2,940,300	1,469	3,598,956	658,656	2,940,300
39042	Wyndmere 42	1	543,374	543,374	311	728,541	306	760,083	287	204,590	287	774,081	224,473	549,608
40001	Rockford 44	1	581,539	581,539	307	722,289	297	737,064	293	589,722	293	759,553	169,831	589,722
40003	Danvers 1	1	1,481,327	1,481,327	630	1,488,829	625	1,491,071	625	1,445,264	625	1,491,071	46,807	1,445,264
40005	St John 5	1	690,813	690,813	349	863,656	343	853,350	294	614,788	294	853,350	238,562	614,788
40007	McPherson 4	1	890,813	890,813	349	863,656	343	853,350	294	614,788	294	853,350	238,562	614,788
40029	Belmont 29	1	3,974,435	3,974,435	1,897	3,972,157	1,892	3,972,157	1,771	4,195,537	1,771	4,195,537	223,380	3,972,157
41002	Albion 2	1	528,102	528,102	281	627,887	275	627,887	253	498,411	253	627,887	129,476	498,411
41003	McSargeant 3	1	472,207	472,207	237	557,111	228	557,111	188	445,510	188	557,111	111,591	445,510
41008	Sageport Central 8	1	587,888	587,888	325	759,111	304	759,111	289	537,074	289	759,111	222,037	537,074

ND Department of Public Instruction Page 5 of 7 3/31/2003 district projection 03-05.xls jac

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Foundation Aid Per Student Payment Projection for 2003-05 Biennium Budget

ID	NAME	1. 2002-03 Actual Net Enrollment (Jan 03)		2. 2002-03 Payment Year		3. 2003-2004 Projection		4. 2004-2005 Projection		Rate	Rate	Year 1 change	Year 2 change
		Actual Pay	Actual Pay	Ear	Proj Ear	Ear	Proj Ear	Ear	Proj Ear				
42016	Goodrich 16	121,867	74	55	74	52,906	104,836	57,440	55,536	2,486	2,608	0.036	
43013	McClary 19	273,571	149	113	149	75,820	283,979	138,193	296,513	81,090	83,108	0.036	-14.7%
43003	Solan 3	394,841	187	146	187	43,787	379,304	47,536	344,917	72,848	72,710	0.036	-2.8%
43004	Ft Yates 4	498,584	219	150	219	14,631	467,453	16,037	380,363	52,144	52,086	0.036	-9.1%
43008	Selbridge 3	229,280	115	58	115	41,443	122,096	16,037	379,565	17,591	17,591	0.036	-5.9%
44012	Marmach 12	8,413	15	12	15	34,032	29,449	32,648	41,290	48,584	48,584	0.036	-12.0%
44014	Shaw 14	5,037	7	6	7	17,133	12,096	13,698	16,704	18,806	18,806	0.036	-2.6%
44032	Central Elementary 12	2,726	13	11	13	42,771	5,037	47,673	34,205	36,762	36,762	0.036	-0.8%
45001	Dickson 1	5,809,128	2726	2749	2726	788,771	5,597,275	6,494,947	6,549,590	1,017,169	1,017,169	0.036	-0.5%
45005	South Heat 3	587,815	288	254	288	78,426	574,791	68,619	607,803	724,848	724,848	0.036	5.7%
45013	Bell 13	657,841	300	258	300	47,128	644,369	52,051	651,033	701,653	701,653	0.036	1.0%
45014	Richardson-Taylor 34	663,953	337	301	337	73,472	624,711	79,462	652,142	812,329	812,329	0.036	4.4%
46018	Hope 10	346,741	193	145	193	106,665	269,766	117,100	359,680	156,117	156,117	0.036	31.5%
46019	Finity-Sharon 19	371,774	214	204	214	128,545	349,971	142,864	365,880	156,714	156,714	0.036	4.5%
47001	Jameson 1	5,187,680	2,574	2,570	2,574	83,835	5,103,285	943,023	4,992,768	6,072,499	6,072,499	0.036	-2.2%
47003	Madira 3	368,780	196	149	196	96,231	312,237	111,072	335,532	453,819	453,819	0.036	0.9%
47010	Progre-Bocharan	373,206	197	156	197	89,318	357,105	105,699	356,415	470,152	470,152	0.036	-0.2%
47014	Montpelier 14	251,616	137	112	137	63,182	251,616	78,639	253,364	341,734	341,734	0.036	0.7%
47015	Kensal 15	168,438	103	86	103	202,945	160,963	210,746	212,723	210,446	210,446	0.036	1.4%
47026	Sprucewood 26	180,906	123	111	123	349,063	180,906	31,072	123,713	35,422	35,422	0.036	-7.1%
48008	Southem 8	611,185	313	290	313	107,141	160,665	121,143	145,882	182,184	182,184	0.036	-11.4%
48003	North Central 28	141,376	81	68	81	72,436	130,345	136,475	122,572	149,705	149,705	0.036	-2.4%
49003	Central Valley 3	538,454	305	284	305	202,781	320,345	204,556	272,891	203,428	203,428	0.036	1.1%
49007	Holton 7	555,690	285	252	285	657,371	545,222	197,746	526,541	756,269	756,269	0.036	2.4%
49009	Hilborn 5	835,839	466	440	466	112,149	774,053	286,757	772,447	1,080,253	1,080,253	0.036	4.7%
49014	Mey-Port CG 14	1,111,502	609	587	609	257,689	1,053,810	1,059,199	1,035,930	1,402,863	1,402,863	0.036	-0.2%
50003	Galton 3	1,768,532	680	610	680	318,525	1,450,007	1,388,095	1,352,165	2,071,355	2,071,355	0.036	-2.1%
50020	Minto 28	546,198	282	235	282	115,774	546,198	129,088	1,738,344	686,435	686,435	0.036	-0.7%
50035	Linton 29	135,424	70	58	70	28,272	133,054	31,989	133,342	170,841	170,841	0.036	2.0%
50051	Nash 51	38,926	28	25	28	26,320	36,040	64,059	29,280	58,566	58,566	0.036	3.9%
50078	Park River 78	835,857	429	432	429	171,288	435,857	190,296	34,779	1,036,421	1,036,421	0.036	-1.7%
50079	Fortville 73	221,519	119	81	119	56,407	172,515	63,922	170,663	237,841	237,841	0.036	0.5%
50128	Edinburg 156	369,021	177	138	177	57,867	354,224	62,419	356,115	423,424	423,424	0.036	0.5%
51001	Adams 128	181,878	102	91	102	57,881	178,645	64,100	177,660	254,331	254,331	0.036	0.6%
51004	Mercer 1	14,077,247	6,879	7,013	6,879	2,067,954	14,089,639	2,238,529	14,665,078	17,440,831	17,440,831	0.036	3.1%
51007	Madison 4	399,076	224	246	224	126,136	399,076	140,910	409,386	573,340	573,340	0.036	2.5%
51010	Urbair 7	1,301,094	633	639	633	184,205	1,258,425	204,283	1,290,105	1,529,846	1,529,846	0.036	2.5%
51016	Bell 10	376,844	190	152	190	61,024	296,510	69,826	316,343	410,952	410,952	0.036	6.7%
	Swyer 16					68,218	362,067	75,864	373,668	466,708	466,708	0.036	2.5%

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Operator's Signature

10-16-03
Date

Foundation Aid Per Student Payment Projection for 2003-05 Biennium Budget

ID	DWNAME	1. 2002-03 Actual Net Enrollment (Jan 03)		2. 2002-03 Payment Year		3. 2003-2004 Projection		4. 2004-2005 Projection		Year 1 change	Year 2 change	
		Actual Pay 02-03	Actual Pay 03-03	Est wpts 02-03	Gross Pay 02-03	Est wpts 03-04	Gross Pay 03-04	Proj Ear 04-05	Gross Pay 04-05			Proj Ear 04-05
51075	Evans 19	36,825	26	21	60,683	23,869	36,824	21	27	70,340	40,111	1.0%
51076	Kennett 28	614,294	346	318	754,506	190,848	558,088	318	309	807,190	561,883	0.5%
51041	Surrey 41	630,397	435	424	594,330	83,066	911,244	418	404	1,054,789	953,632	2.7%
51054	Berthold 54	498,352	264	215	540,144	120,974	468,170	210	249	649,376	501,164	3.0%
51070	S-Prine 70	297,656	164	154	385,166	88,110	412,071	151	168	438,054	329,486	5.2%
51158	N Shore 158	248,985	144	113	333,438	88,939	244,469	109	138	358,849	249,621	1.4%
52025	Fossilien-Bowden 25	448,521	280	236	625,593	232,648	392,944	227	241	628,052	351,275	-2.9%
52035	Pleasant Valley 3	27,319	25	17	45,274	31,590	11,684	16	16	42,762	38,347	4.4%
52038	Harvey 38	638,015	510	496	1,163,314	258,097	904,817	496	470	1,168,475	836,486	-1.9%
53001	Syracuse 39	178,918	98	97	228,081	53,908	174,173	74	87	227,275	168,218	0.6%
53002	Wilmington 1	4,828,025	2,309	2,340	5,303,965	492,301	4,811,664	2,307	2,176	5,677,226	5,090,154	3.4%
53006	Messon 2	453,590	237	179	518,133	103,433	415,700	177	214	557,868	432,879	0.7%
53008	Eight Mile 6	590,157	270	222	621,579	44,378	577,201	219	263	685,947	632,478	5.4%
53015	Near 6	318,503	233	243	536,313	228,770	307,543	241	226	590,403	315,234	1.7%
53051	Toga 15	577,782	323	280	705,109	179,337	525,772	276	295	770,141	557,545	3.7%
53055	Widowice-Alzono 51	111,096	73	49	149,832	61,127	88,705	49	61	159,074	106,656	-2.2%
53055	Genova 55	173,272	122	76	224,256	112,147	112,109	75	92	241,072	135,421	-1.3%
	Statewide Total	289,882,831	187,888	183,786	247,254,878	67,733,189	203,598,087	181,517	182,963	255,798,383	209,912,461	1.8%

Other pupil payments	Transportation	Tuition Reimbursement	Limited English Proficient Students	Adjustments for over/under payment	Total Foundation Aid and Transportation
13,510,876	17,500,000	2,877,599	325,000	237,811,481	240,591,541
5,427				240,591,541	240,591,541
5,376				243,788,449	243,788,449
				2,985,945	2,985,945
				325,000	325,000
				240,591,541	240,591,541
				243,788,449	243,788,449

NO Department of Public Instruction

Page 7 of 7

3/3/2003 district projection 03-05.xls jac

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Operator's Signature: *Yuberead J. Lee* Date: 10-16-03

Number of Full-time teachers only & Districts Impacted by \$20,500 Base Salary
 (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation
 Reimbursement Claim filed by districts) Excludes Jamestown

Teachers	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	Districts	FTE Impacted in Districts
1	2	2	Valley City 2	2003	1	\$20,448	\$0	\$5,428	\$25,874	1	75.00
2	5	35	Lansford 35	2003	1	\$20,200	\$0	\$5,400	\$25,600	1	5.10
3	8	29	Baldwin 29	2003	1	\$20,250	\$500	\$804	\$21,554	1	2.00
4	8	45	Manning 45	2003	1	\$20,000	\$500	\$1,550	\$22,050	1	1.00
5	17	6	Lone Tree 6	2003	1	\$20,000	\$0	\$4,861	\$24,861	1	6.00
6	25	60	TGU 60	2003	1	\$20,000	\$1,371	\$6,397	\$27,768	1	39.28
7	25	60	TGU 60	2003	1	\$20,000	\$2,243	\$6,397	\$28,640		
8	25	60	TGU 60	2003	1	\$20,000	\$726	\$6,323	\$27,049		
9	25	60	TGU 60	2003	1	\$20,000	\$111	\$6,323	\$26,434		
10	27	19	Bowline Butte 19	2003	1	\$20,000	\$0	\$1,500	\$21,500	1	1.00
11	27	32	Horse Creek 32	2003	1	\$20,000	\$1,000	\$600	\$21,600	1	1.20
12	28	1	Montflore 1	2003	1	\$20,300	\$0	\$5,166	\$25,466	1	21.90
13	31	137	Plaza 137	2003	1	\$20,450	\$0	\$4,536	\$24,986	1	3.60
14	33	18	Center 18	2003	1	\$20,000	\$3,764	\$9,028	\$32,792	1	22.03
15	36	1	Devils Lake 1	2003	1	\$20,250	\$3,139	\$8,634	\$32,023	1	134.14
16	36	1	Devils Lake 1	2003	1	\$20,250	\$0	\$7,866	\$28,116		
17	39	37	Wahpeton 37	2003	1	\$20,100	\$3,668	\$9,018	\$32,786	1	102.85
18	39	37	Wahpeton 37	2003	1	\$20,436	\$3,647	\$12,497	\$36,580		
19	39	37	Wahpeton 37	2003	1	\$20,436	\$7,576	\$10,073	\$38,085		
20	44	14	Sheets 14	2003	1	\$20,007	\$1,202	\$3,266	\$24,475	1	1.07
21	44	32	Central Elem 32	2003	1	\$20,000	\$810	\$5,089	\$25,899	1	2.23
22	45	1	Dickinson 1	2003	1	\$20,300	\$0	\$5,229	\$25,529	1	215.42
23	45	13	Belfield 13	2003	1	\$20,000	\$926	\$6,275	\$27,201	1	23.80
24	47	14	Montpeller 14	2003	1	\$20,000	\$1,550	\$5,904	\$27,454	1	15.82
25	47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
26	47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
27	51	19	Eureka 19	2003	1	\$20,000	\$300	\$5,980	\$26,280	1	1.96
28	51	158	N Shore 158	2003	1	\$20,000	\$600	\$8,037	\$28,637	1	16.14
29	51	158	N Shore 158	2003	1	\$20,000	\$1,600	\$8,281	\$29,881		
30	52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	1	10.05
31	52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455		
32	52	39	Sykes 39	2003	1	\$20,000	\$1,750	\$4,602	\$26,352		

\$20,500
 INDIRE
 IMPACT

Direct
 Impact

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Yubereca d. Lee
 Operator's Signature

10-16-03
 Date

Number of Full-time teachers only & Districts Impacted by \$21,000 Base Salary
 (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation
 Reimbursement Claim filed by districts) Excludes Jamestown

of Districts 32
 FTE Impacted in Districts 838.67
\$21,000

# Teachers	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	# of Districts	FTE Impacted in Districts
1	2	2	Valley City 2	2003	1	\$20,448	\$0	\$5,426	\$25,874	1	75.00
2	3	9	Maddock 9	2003	1	\$20,950	\$1,875	\$6,400	\$29,225	1	19.15
3	5	35	Lansford 35	2003	1	\$20,200	\$0	\$5,400	\$25,600	1	5.10
4	8	29	Baldwin 29	2003	1	\$20,250	\$500	\$804	\$21,554	1	2.00
5	8	45	Manning 45	2003	1	\$20,000	\$500	\$1,550	\$22,050	1	1.00
6	15	10	Bakker 10	2003	1	\$20,761	\$1,000	\$1,500	\$23,261	1	1.00
7	17	6	Lone Tree 6	2003	1	\$20,000	\$0	\$4,861	\$24,861	1	6.00
8	17	6	Lone Tree 6	2003	1	\$20,700	\$0	\$4,943	\$25,643		
9	22	28	Tappen 28	2003	1	\$20,500	\$0	\$3,557	\$24,057	1	12.50
10	22	28	Tappen 28	2003	1	\$20,700	\$3,500	\$4,127	\$28,327		
11	22	28	Tappen 28	2003	1	\$20,700	\$7,300	\$5,912	\$33,912		
12	22	28	Tappen 28	2003	1	\$20,900	\$500	\$4,596	\$25,996		
13	25	14	Anamoose 14	2003	1	\$20,800	\$2,410	\$4,850	\$28,060	1	9.98
14	25	60	TGU 60	2003	1	\$20,000	\$1,371	\$6,397	\$27,768	1	39.28
15	25	60	TGU 60	2003	1	\$20,000	\$2,243	\$6,397	\$28,640		
16	25	60	TGU 60	2003	1	\$20,000	\$726	\$6,323	\$27,049		
17	25	60	TGU 60	2003	1	\$20,000	\$111	\$6,323	\$26,434		
18	27	19	Bowlne Butte 19	2003	1	\$20,000	\$0	\$1,500	\$21,500	1	1.00
19	27	32	Horse Creek 32	2003	1	\$20,000	\$1,000	\$600	\$21,600	1	1.20
20	28	1	Montefiore 1	2003	1	\$20,300	\$0	\$5,166	\$25,466	1	21.90
21	29	22	Stanton 22	2003	1	\$20,500	\$1,900	\$5,985	\$28,385	1	9.95
22	30	4	Little Heart 4	2003	1	\$20,500	\$0	\$3,178	\$23,678	1	3.00
23	31	137	Plaza 137	2003	1	\$20,450	\$0	\$4,536	\$24,986	1	3.60
24	33	18	Center 18	2003	1	\$20,000	\$3,764	\$9,028	\$32,792	1	22.03
25	36	1	Devils Lake 1	2003	1	\$20,250	\$3,139	\$8,634	\$32,023	1	134.14
26	36	1	Devils Lake 1	2003	1	\$20,250	\$0	\$7,866	\$28,116		
27	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
28	36	1	Devils Lake 1	2003	1	\$20,850	\$2,430	\$8,607	\$31,887		
29	36	1	Devils Lake 1	2003	1	\$20,850	\$1,215	\$8,310	\$30,375		
30	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
31	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
32	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
33	37	2	Sheldon 2	2003	1	\$20,500	\$594	\$6,365	\$27,459	1	4.09
34	39	28	Lidgerwood 28	2003	1	\$20,977	\$1,071	\$6,642	\$28,690	1	19.93
35	39	37	Wahpeton 37	2003	1	\$20,100	\$3,668	\$9,018	\$32,786	1	102.85
36	39	37	Wahpeton 37	2003	1	\$20,436	\$3,647	\$12,497	\$36,580		
37	39	37	Wahpeton 37	2003	1	\$20,436	\$7,576	\$10,073	\$38,085		
38	39	44	Richland 44	2003	1	\$20,500	\$0	\$3,704	\$24,204	1	24.63
39	39	44	Richland 44	2003	1	\$20,570	\$1,845	\$8,521	\$30,936		
40	44	14	Sheets 14	2003	1	\$20,007	\$1,202	\$3,266	\$24,475	1	1.07
41	44	32	Central Elem 32	2003	1	\$20,000	\$810	\$5,089	\$25,899	1	2.23
42	45	1	Dickinson 1	2003	1	\$20,300	\$0	\$5,229	\$25,529	1	215.42
43	45	13	Belfield 13	2003	1	\$20,000	\$926	\$6,275	\$27,201	1	23.80
44	47	14	Montpelier 14	2003	1	\$20,000	\$1,550	\$5,904	\$27,454	1	15.62
45	47	14	Montpelier 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
46	47	14	Montpelier 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
47	47	19	Kensal 19	2003	1	\$20,800	\$985	\$7,049	\$28,834	1	9.65
48	51	19	Eureka 19	2003	1	\$20,000	\$300	\$5,980	\$26,280	1	1.96
49	51	54	Berthold 54	2003	1	\$20,650	\$455	\$5,985	\$27,090	1	23.40
50	51	54	Berthold 54	2003	1	\$20,650	\$3,188	\$6,420	\$30,258		
51	51	54	Berthold 54	2003	1	\$20,950	\$1,410	\$6,926	\$29,286		
52	51	158	N Shore 158	2003	1	\$20,000	\$600	\$8,037	\$28,637	1	16.14
53	51	158	N Shore 158	2003	1	\$20,000	\$1,600	\$8,281	\$29,881		
54	51	158	N Shore 158	2003	1	\$20,900	\$3,450	\$8,954	\$33,304		
55	52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	1	10.05
56	52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455		
57	52	39	Sykes 39	2003	1	\$20,000	\$1,750	\$4,602	\$26,352		

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 Operator's Signature

10-16-03
 Date

Number of Full-time teachers only & Districts Impacted by **\$21,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

Districts
FTE Impacted in Districts
\$21,500

# Teachers	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	#	FTE
1	2	2	Valley City 2	2003	1	\$20,448	\$0	\$5,426	\$25,874	1	75.00
2	2	13	Oriska 13	2003	1	\$21,000	\$863	\$7,221	\$29,084	1	9.39
3	3	5	Minnewaukan 5	2003	1	\$21,000	\$2,550	\$7,308	\$30,858	1	14.62
4	3	9	Maddock 9	2003	1	\$20,950	\$1,875	\$6,400	\$29,225	1	19.15
5	3	29	Warwick 29	2003	1	\$21,200	\$2,472	\$7,088	\$30,760	1	21.00
6	5	35	Lansford 35	2003	1	\$20,200	\$0	\$5,400	\$25,600	1	5.10
7	7	14	Bowbells 14	2003	1	\$21,350	\$193	\$6,218	\$27,761	1	13.57
8	7	14	Bowbells 14	2003	1	\$21,350	\$2,302	\$6,542	\$30,194	1	13.57
9	8	29	Baldwin 29	2003	1	\$20,250	\$500	\$804	\$21,554	1	2.00
10	8	29	Baldwin 29	2003	1	\$21,050	\$1,150	\$860	\$23,060	1	2.00
11	8	35	Sterling 35	2003	1	\$21,370	\$0	\$1,200	\$22,570	1	3.45
12	8	45	Manning 45	2003	1	\$20,000	\$500	\$1,550	\$22,050	1	1.00
13	9	97	Northern Cass 97	2003	1	\$21,475	\$5,929	\$10,280	\$37,684	1	36.46
14	14	1	New Rockford 1	2003	1	\$21,450	\$0	\$8,645	\$30,095	1	32.08
15	14	1	New Rockford 1	2003	1	\$21,450	\$1,080	\$8,645	\$31,175	1	32.08
16	14	12	Sheyenne 12	2003	1	\$21,100	\$950	\$8,455	\$30,505	1	14.10
17	14	12	Sheyenne 12	2003	1	\$21,100	\$0	\$8,223	\$29,323	1	14.10
18	15	6	Hazleton-Moffit-Braddock 6	2003	1	\$21,480	\$6,140	\$4,700	\$32,320	1	17.27
19	15	6	Hazleton-Moffit-Braddock 6	2003	1	\$21,480	\$0	\$4,700	\$26,180	1	17.27
20	15	10	Bakker 10	2003	1	\$20,761	\$1,000	\$1,500	\$23,261	1	1.00
21	17	6	Lone Tree 6	2003	1	\$20,000	\$0	\$4,861	\$24,861	1	6.00
22	17	6	Lone Tree 6	2003	1	\$20,700	\$0	\$4,943	\$25,643	1	6.00
23	21	1	Mott-Regent 1	2003	1	\$21,000	\$0	\$3,213	\$24,213	1	33.89
24	21	1	Mott-Regent 1	2003	1	\$21,000	\$0	\$10,334	\$31,334	1	33.89
25	22	28	Tappen 28	2003	1	\$20,500	\$0	\$3,557	\$24,057	1	12.50
26	22	28	Tappen 28	2003	1	\$20,700	\$3,500	\$4,127	\$28,327	1	12.50
27	22	28	Tappen 28	2003	1	\$20,700	\$7,300	\$5,912	\$33,912	1	12.50
28	22	28	Tappen 28	2003	1	\$20,900	\$500	\$4,596	\$25,996	1	12.50
29	25	14	Anamoose 14	2003	1	\$20,800	\$2,410	\$4,850	\$28,060	1	12.50
30	25	60	TGU 60	2003	1	\$20,000	\$1,371	\$6,397	\$27,768	1	39.28
31	25	60	TGU 60	2003	1	\$20,000	\$2,243	\$6,397	\$28,640	1	39.28
32	25	60	TGU 60	2003	1	\$20,000	\$726	\$6,323	\$27,049	1	39.28
33	25	60	TGU 60	2003	1	\$20,000	\$111	\$6,323	\$26,434	1	39.28
34	26	4	Zeeland 4	2003	1	\$21,350	\$0	\$4,718	\$26,068	1	10.15
35	26	19	Wishak 19	2003	1	\$21,183	\$0	\$7,856	\$29,039	1	21.25
36	27	19	Bowline Butte 19	2003	1	\$20,000	\$0	\$1,500	\$21,500	1	1.00
37	27	32	Horse Creek 32	2003	1	\$20,000	\$1,000	\$600	\$21,600	1	1.20
38	28	1	Montefiore 1	2003	1	\$20,300	\$0	\$5,166	\$25,466	1	21.90
39	29	22	Stanton 22	2003	1	\$20,500	\$1,900	\$5,985	\$28,385	1	9.95
40	30	1	Mandan 1	2003	1	\$21,300	\$1,986	\$6,346	\$29,632	1	233.60
41	30	1	Mandan 1	2003	1	\$21,300	\$4,370	\$6,726	\$32,396	1	233.60
42	30	1	Mandan 1	2003	1	\$21,300	\$2,185	\$6,377	\$29,862	1	233.60
43	30	4	Little Heart 4	2003	1	\$20,500	\$0	\$3,178	\$23,678	1	3.00
44	30	7	New Salem 7	2003	1	\$21,000	\$0	\$7,351	\$28,351	1	29.62
45	30	7	New Salem 7	2003	1	\$21,410	\$1,155	\$8,747	\$31,312	1	29.62
46	30	8	Sims 8	2003	1	\$21,148	\$0	\$7,257	\$28,405	1	5.45
47	30	39	Flasher 39	2003	1	\$21,250	\$0	\$7,101	\$28,351	1	20.78
48	30	39	Flasher 39	2003	1	\$21,250	\$1,913	\$7,101	\$30,264	1	20.78
49	31	3	Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517	1	28.00
50	31	3	Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517	1	28.00
51	31	137	Plaza 137	2003	1	\$20,460	\$0	\$4,536	\$24,996	1	3.60
52	33	18	Center 18	2003	1	\$20,000	\$3,764	\$9,028	\$32,792	1	22.03
53	36	1	Devils Lake 1	2003	1	\$20,250	\$3,139	\$8,634	\$32,023	1	134.14
54	36	1	Devils Lake 1	2003	1	\$20,250	\$0	\$7,866	\$28,116	1	134.14

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Yubereca d. Lee
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by **\$21,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

\$21,500

# Teachers	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	# Districts	FTE Impacted in Districts
55	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
56	36	1	Devils Lake 1	2003	1	\$20,850	\$2,430	\$8,607	\$31,887		
57	36	1	Devils Lake 1	2003	1	\$20,850	\$1,215	\$8,310	\$30,375		
58	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
59	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
60	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
61	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
62	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
63	36	1	Devils Lake 1	2003	1	\$21,450	\$3,291	\$8,964	\$33,705		
64	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
65	37	2	Sheldon 2	2003	1	\$20,500	\$694	\$6,365	\$27,459	1	4.09
66	39	18	Fairmount 18	2003	1	\$21,400	\$4,327	\$8,836	\$34,563	1	12.70
67	39	28	Lidgerwood 28	2003	1	\$20,977	\$1,071	\$6,642	\$28,690	1	19.93
68	39	37	Wahpeton 37	2003	1	\$20,100	\$3,668	\$9,018	\$32,786	1	102.85
69	39	37	Wahpeton 37	2003	1	\$20,436	\$3,647	\$12,497	\$36,580		
70	39	37	Wahpeton 37	2003	1	\$20,436	\$7,576	\$10,073	\$38,085		
71	39	37	Wahpeton 37	2003	1	\$21,127	\$3,384	\$12,604	\$37,115		
72	39	37	Wahpeton 37	2003	1	\$21,127	\$2,221	\$12,315	\$35,663		
73	39	37	Wahpeton 37	2003	1	\$21,201	\$1,675	\$8,807	\$31,683		
74	39	44	Richland 44	2003	1	\$20,500	\$0	\$3,704	\$24,204	1	24.63
75	39	44	Richland 44	2003	1	\$20,570	\$1,845	\$8,521	\$30,936		
76	39	44	Richland 44	2003	1	\$21,135	\$2,460	\$8,809	\$32,404		
77	39	44	Richland 44	2003	1	\$21,135	\$1,640	\$8,609	\$31,384		
78	40	4	Mt Pleasant 4	2003	1	\$21,100	\$1,750	\$6,244	\$29,094	1	33.17
79	40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622		
80	40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622		
81	42	19	McClusky 19	2003	1	\$21,465	\$8,775	\$9,640	\$39,880	1	14.68
82	43	3	Solen 3	2003	1	\$21,350	\$0	\$9,822	\$31,172	1	26.00
83	44	12	Marmarth 12	2003	1	\$21,090	\$0	\$4,881	\$26,971	1	2.32
84	44	14	Sheets 14	2003	1	\$20,007	\$1,202	\$3,266	\$24,475	1	1.07
85	44	32	Central Elem 32	2003	1	\$20,000	\$810	\$5,089	\$26,899	1	2.23
86	45	1	Dickinson 1	2003	1	\$20,300	\$0	\$5,229	\$25,529	1	215.42
87	45	1	Dickinson 1	2003	1	\$21,092	\$1,898	\$5,648	\$28,638		
88	45	1	Dickinson 1	2003	1	\$21,092	\$0	\$8,248	\$29,340		
89	45	13	Belfield 13	2003	1	\$20,000	\$926	\$6,275	\$27,201	1	23.60
90	45	34	Richardton-Taylor 34	2003	1	\$21,010	\$0	\$9,213	\$30,223	1	28.23
91	47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$50	\$6,291	\$27,691	1	15.15
92	47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$2,800	\$6,714	\$30,864		
93	47	14	Montpelier 14	2003	1	\$20,000	\$1,550	\$5,904	\$27,454	1	15.62
94	47	14	Montpelier 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
95	47	14	Montpelier 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
96	47	14	Montpelier 14	2003	1	\$21,300	\$1,375	\$6,077	\$28,752		
97	47	19	Kensal 19	2003	1	\$20,800	\$985	\$7,049	\$28,834	1	9.65
98	51	16	Sawyer 16	2003	1	\$21,000	\$2,865	\$2,250	\$26,115	1	18.41
99	51	16	Sawyer 16	2003	1	\$21,480	\$0	\$2,250	\$23,730		
100	51	16	Sawyer 16	2003	1	\$21,480	\$2,675	\$2,250	\$26,405		
101	51	19	Eureka 19	2003	1	\$20,000	\$300	\$5,980	\$26,280	1	1.96
102	51	54	Berthold 54	2003	1	\$20,850	\$455	\$5,985	\$27,090	1	23.40
103	51	54	Berthold 54	2003	1	\$20,850	\$3,188	\$6,420	\$30,258		
104	51	54	Berthold 54	2003	1	\$20,950	\$1,410	\$6,926	\$29,286		
105	51	158	N Shore 158	2003	1	\$20,000	\$600	\$8,037	\$28,637	1	16.14
106	51	158	N Shore 158	2003	1	\$20,000	\$1,600	\$8,281	\$29,881		
107	51	158	N Shore 158	2003	1	\$20,900	\$3,450	\$8,964	\$33,304		
108	52	35	Pleasant Valley 35	2003	1	\$21,200	\$0	\$3,520	\$24,720	1	3.00



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Yuberona J. Joo
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by **\$21,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

FTE Impacted in Districts **\$21,500**

County	District	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	FTE
52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	10.05
52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	
52	39	Sykes 39	2003	1	\$20,000	\$1,750	\$4,602	\$26,352	

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Yvonnea J. Lee
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by \$22,000 Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

Districts Impacted in Districts **\$22,000**

# Teachers	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	# Districts	FTE Impacted in Districts
1	1	13	Hettinger 13	2003	1	\$21,700	\$4,410	\$8,558	\$34,668	1	34.42
2	1	13	Hettinger 13	2003	1	\$21,700	\$1,800	\$8,558	\$31,858		
3	1	13	Hettinger 13	2003	1	\$21,700	\$2,600	\$8,558	\$32,858		
4	1	13	Hettinger 13	2003	1	\$21,700	\$630	\$8,558	\$30,888		
5	2	2	Valley City 2	2003	1	\$20,448	\$0	\$5,426	\$25,874	1	75.00
6	2	13	Oriska 13	2003	1	\$21,000	\$883	\$7,221	\$29,084	1	9.39
7	2	13	Oriska 13	2003	1	\$21,700	\$241	\$7,238	\$29,177		
8	3	5	Minnewaukan 5	2003	1	\$21,000	\$2,550	\$7,308	\$30,858	1	14.62
9	3	5	Minnewaukan 5	2003	1	\$21,700	\$1,980	\$7,691	\$31,371		
10	3	6	Leeds 6	2003	1	\$21,625	\$2,825	\$7,404	\$31,854	1	18.07
11	3	9	Maddock 9	2003	1	\$20,950	\$1,875	\$6,400	\$29,225	1	19.15
12	3	9	Maddock 9	2003	1	\$21,950	\$2,775	\$6,693	\$31,418		
13	3	29	Warwick 29	2003	1	\$21,200	\$2,472	\$7,088	\$30,760	1	21.00
14	3	29	Warwick 29	2003	1	\$21,650	\$2,482	\$8,946	\$33,078		
15	5	13	Willow City 13	2003	1	\$21,800	\$0	\$8,122	\$29,922	1	10.90
16	5	35	Lansford 35	2003	1	\$20,200	\$0	\$5,400	\$25,600	1	5.10
17	6	17	Rhame 17	2003	1	\$21,850	\$0	\$7,793	\$29,643	1	11.70
18	6	33	Scranton 33	2003	1	\$21,600	\$3,564	\$8,936	\$34,100	1	19.02
19	7	14	Bowbells 14	2003	1	\$21,350	\$193	\$6,218	\$27,761	1	13.57
20	7	14	Bowbells 14	2003	1	\$21,350	\$2,302	\$6,542	\$30,194		
21	8	29	Baldwin 29	2003	1	\$20,250	\$500	\$804	\$21,554	1	2.00
22	8	29	Baldwin 29	2003	1	\$21,050	\$1,150	\$860	\$23,060		
23	8	35	Sterling 35	2003	1	\$21,370	\$0	\$1,200	\$22,570	1	3.45
24	8	45	Manning 45	2003	1	\$20,000	\$500	\$1,650	\$22,050	1	1.00
25	9	97	Northern Cass 97	2003	1	\$21,475	\$5,929	\$10,280	\$37,684	1	36.46
26	9	97	Northern Cass 97	2003	1	\$21,900	\$0	\$6,685	\$28,585		
27	9	97	Northern Cass 97	2003	1	\$21,900	\$1,629	\$8,819	\$32,348		
28	14	1	New Rockford 1	2003	1	\$21,450	\$0	\$8,645	\$30,095	1	32.08
29	14	1	New Rockford 1	2003	1	\$21,450	\$1,080	\$8,645	\$31,175		
30	14	1	New Rockford 1	2003	1	\$21,850	\$1,180	\$8,742	\$31,772		
31	14	12	Sheyenne 12	2003	1	\$21,100	\$950	\$8,455	\$30,505	1	14.10
32	14	12	Sheyenne 12	2003	1	\$21,100	\$0	\$8,223	\$29,323		
33	14	12	Sheyenne 12	2003	1	\$21,800	\$0	\$8,394	\$30,194		
34	15	6	Hazellon-Moffit-Braddock 6	2003	1	\$21,480	\$6,140	\$4,700	\$32,320	1	17.27
35	15	6	Hazellon-Moffit-Braddock 6	2003	1	\$21,480	\$0	\$4,700	\$26,180		
36	15	10	Bakker 10	2003	1	\$20,761	\$1,000	\$1,500	\$23,261	1	1.00
37	17	3	Beach 3	2003	1	\$21,500	\$1,500	\$8,361	\$31,361	1	35.00
38	17	3	Beach 3	2003	1	\$21,500	\$2,850	\$8,570	\$32,920		
39	17	6	Lone Tree 6	2003	1	\$20,000	\$0	\$4,861	\$24,861	1	6.00
40	17	6	Lone Tree 6	2003	1	\$20,700	\$0	\$4,943	\$25,643		
41	18	129	Northwood 129	2003	1	\$21,800	\$2,591	\$9,376	\$33,766	1	24.83
42	19	18	Roosevelt 18	2003	1	\$21,800	\$1,440	\$8,216	\$31,455	1	15.40
43	21	1	Mott-Regent 1	2003	1	\$21,000	\$0	\$3,213	\$24,213	1	33.89
44	21	1	Mott-Regent 1	2003	1	\$21,000	\$0	\$10,334	\$31,334		
45	21	1	Mott-Regent 1	2003	1	\$21,650	\$0	\$10,434	\$32,084		
46	22	20	Tuttle-Pattibone 20	2003	1	\$21,825	\$307	\$6,908	\$29,040	1	8.43
47	22	28	Tappen 28	2003	1	\$20,500	\$0	\$3,557	\$24,057	1	12.50
48	22	28	Tappen 28	2003	1	\$20,700	\$3,500	\$4,127	\$28,327		
49	22	28	Tappen 28	2003	1	\$20,700	\$7,300	\$5,912	\$33,912		
50	22	28	Tappen 28	2003	1	\$20,900	\$500	\$4,596	\$25,996		
51	22	28	Tappen 28	2003	1	\$21,500	\$1,600	\$5,157	\$28,257		
52	22	28	Tappen 28	2003	1	\$21,900	\$0	\$3,773	\$25,673		
53	25	14	Anamoose 14	2003	1	\$20,800	\$2,410	\$4,850	\$28,060	1	9.98
54	25	57	Drake 57	2003	1	\$21,550	\$2,800	\$5,109	\$29,459	1	15.78
55	25	57	Drake 57	2003	1	\$21,975	\$2,000	\$5,078	\$29,053		
56	25	60	TGU 60	2003	1	\$20,000	\$1,371	\$6,397	\$27,768	1	39.28
57	25	60	TGU 60	2003	1	\$20,000	\$2,243	\$6,397	\$28,640		
58	25	60	TGU 60	2003	1	\$20,000	\$728	\$6,323	\$27,049		
59	25	60	TGU 60	2003	1	\$20,000	\$111	\$6,323	\$26,434		
60	26	4	Zeeland 4	2003	1	\$21,350	\$0	\$4,718	\$26,068	1	10.15
61	26	19	Wishek 19	2003	1	\$21,183	\$0	\$7,858	\$29,039	1	21.25
62	26	19	Wishek 19	2003	1	\$21,570	\$3,345	\$8,410	\$33,325		

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Yuberead d. Lee 10-16-03
Operator's Signature Date

Number of Full-time teachers only & Districts impacted by \$22,000 Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

Districts
FTE Impacted in Districts

\$22,000

# Teachers	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	# Districts	FTE Impacted in Districts
125	40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622	1	33.17
126	40	4	Mt Pleasant 4	2003	1	\$21,100	\$1,750	\$6,244	\$29,094		
127	40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622		
128	40	4	Mt Pleasant 4	2003	1	\$21,510	\$850	\$6,168	\$28,528		
129	42	16	Goodrich 16	2003	1	\$21,750	\$0	\$5,860	\$27,610	1	9.01
130	42	19	McClusky 19	2003	1	\$21,465	\$8,775	\$9,640	\$39,880	1	14.68
131	43	3	Solen 3	2003	1	\$21,350	\$0	\$9,822	\$31,172	1	26.00
132	44	12	Marmarth 12	2003	1	\$21,090	\$0	\$4,881	\$25,971	1	2.32
133	44	14	Sheets 14	2003	1	\$20,007	\$1,202	\$3,266	\$24,475	1	1.07
134	44	32	Central Elem 32	2003	1	\$20,000	\$810	\$5,089	\$25,899	1	2.23
135	45	1	Dickinson 1	2003	1	\$20,300	\$0	\$5,229	\$25,529	1	215.42
136	45	1	Dickinson 1	2003	1	\$21,092	\$1,898	\$5,648	\$28,638		
137	45	1	Dickinson 1	2003	1	\$21,092	\$0	\$8,248	\$29,340		
138	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358		
139	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358		
140	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$8,371	\$30,254		
141	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358		
142	45	13	Belfield 13	2003	1	\$20,000	\$926	\$6,275	\$27,201	1	23.80
143	45	34	Richardton-Taylor 34	2003	1	\$21,010	\$0	\$9,213	\$30,223	1	28.23
144	47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$50	\$6,291	\$27,691	1	15.15
145	47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$2,800	\$6,714	\$30,864		
146	47	10	Pingree-Buchanan 10	2003	1	\$21,700	\$400	\$6,398	\$28,498		
147	47	14	Montpeller 14	2003	1	\$20,000	\$1,550	\$5,904	\$27,454	1	15.62
148	47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
149	47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
150	47	14	Montpeller 14	2003	1	\$21,300	\$1,375	\$6,077	\$28,752		
151	47	19	Kensal 19	2003	1	\$20,800	\$985	\$7,049	\$28,834	1	9.65
152	48	8	Southern 8	2003	1	\$21,500	\$1,700	\$6,636	\$29,836	1	23.63
153	48	28	N Central 28	2003	1	\$21,750	\$1,383	\$6,030	\$29,163	1	9.87
154	49	7	Halton 7	2003	1	\$21,800	\$1,850	\$9,196	\$32,846	1	19.94
155	50	39	Lankin 39	2003	1	\$21,720	\$111	\$3,486	\$25,317	1	6.75
156	50	79	Fordville 79	2003	1	\$21,704	\$0	\$4,005	\$25,799	1	8.50
157	51	16	Sawyer 16	2003	1	\$21,000	\$2,865	\$2,250	\$26,115	1	18.41
158	51	16	Sawyer 16	2003	1	\$21,480	\$0	\$2,250	\$23,730		
159	51	16	Sawyer 16	2003	1	\$21,480	\$2,675	\$2,250	\$26,405		
160	51	16	Sawyer 16	2003	1	\$21,980	\$1,780	\$2,250	\$26,010		
161	51	19	Eureka 19	2003	1	\$20,000	\$300	\$5,980	\$26,280	1	1.96
162	51	41	Surrey 41	2003	1	\$21,900	\$1,260	\$7,663	\$30,823	1	33.54
163	51	54	Berthold 54	2003	1	\$20,650	\$455	\$5,985	\$27,090	1	23.40
164	51	54	Berthold 54	2003	1	\$20,650	\$3,188	\$6,420	\$30,258		
165	51	54	Berthold 54	2003	1	\$20,950	\$1,410	\$6,928	\$29,286		
166	51	54	Berthold 54	2003	1	\$21,850	\$2,816	\$6,521	\$30,987		
167	51	70	S Prairie 70	2003	1	\$21,800	\$0	\$6,323	\$28,123	1	12.20
168	51	158	N Shore 158	2003	1	\$20,000	\$600	\$8,037	\$28,637	1	16.14
169	51	158	N Shore 158	2003	1	\$20,000	\$1,600	\$8,281	\$29,881		
170	51	158	N Shore 158	2003	1	\$20,900	\$3,450	\$8,954	\$33,304		
171	51	158	N Shore 158	2003	1	\$21,850	\$2,855	\$9,041	\$33,746		
172	52	25	Fessenden-Bowdon 25	2003	1	\$21,550	\$1,743	\$8,796	\$32,089	1	23.64
173	52	35	Pleasant Valley 35	2003	1	\$21,200	\$0	\$3,520	\$24,720	1	3.00
174	52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	1	10.05
175	52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455		
176	52	39	Sykes 39	2003	1	\$20,000	\$1,750	\$4,802	\$26,552		
177	53	1	Williston 1	2003	1	\$21,860	\$0	\$7,144	\$29,004	1	159.05
178	53	2	Nesson 2	2003	1	\$21,900	\$0	\$4,928	\$26,828	1	18.68
179	53	2	Nesson 2	2003	1	\$21,900	\$0	\$4,928	\$26,828		

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Yherosa d. Lee
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by \$22,000 Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

Districts Impacted in Districts **\$22,000**

# Teachers	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	#	FTE
63	26	19	Wishok 19	2003	1	\$21,570	\$4,775	\$8,631	\$34,976		
64	26	19	Wishok 19	2003	1	\$21,925	\$1,625	\$8,200	\$31,750		
65	27	19	Bowline Butte 19	2003	1	\$20,000	\$0	\$1,500	\$21,500	1	1.00
66	27	32	Horse Creek 32	2003	1	\$20,000	\$1,000	\$600	\$21,600	1	1.20
67	28	1	Montefiore 1	2003	1	\$20,300	\$0	\$5,166	\$25,466	1	21.90
68	28	1	Montefiore 1	2003	1	\$21,900	\$750	\$4,465	\$27,115		
69	28	50	Max 50	2003	1	\$21,850	\$88	\$5,395	\$27,333	1	16.57
70	29	3	Hazen 3	2003	1	\$21,955	\$3,775	\$5,439	\$31,169	1	47.81
71	29	22	Stanton 22	2003	1	\$20,500	\$1,900	\$5,985	\$28,385	1	9.95
72	30	1	Mandan 1	2003	1	\$21,300	\$1,986	\$6,346	\$29,632	1	233.60
73	30	1	Mandan 1	2003	1	\$21,300	\$4,370	\$6,726	\$32,396		
74	30	1	Mandan 1	2003	1	\$21,300	\$2,185	\$6,377	\$29,862		
75	30	1	Mandan 1	2003	1	\$21,811	\$2,240	\$6,468	\$30,519		
76	30	1	Mandan 1	2003	1	\$21,811	\$331	\$6,163	\$28,305		
77	30	1	Mandan 1	2003	1	\$21,811	\$3,387	\$6,651	\$31,849		
78	30	1	Mandan 1	2003	1	\$21,811	\$0	\$6,110	\$27,921		
79	30	1	Mandan 1	2003	1	\$21,811	\$2,313	\$10,271	\$34,395		
80	30	1	Mandan 1	2003	1	\$21,811	\$0	\$9,902	\$31,713		
81	30	4	Little Heart 4	2003	1	\$20,500	\$0	\$3,178	\$23,678	1	3.00
82	30	4	Little Heart 4	2003	1	\$21,500	\$0	\$3,332	\$24,832		
83	30	7	New Salem 7	2003	1	\$21,000	\$0	\$7,351	\$28,351	1	29.62
84	30	7	New Salem 7	2003	1	\$21,410	\$1,155	\$8,747	\$31,312		
85	30	8	Sims 8	2003	1	\$21,148	\$0	\$7,257	\$28,405	1	5.45
86	30	39	Flasher 39	2003	1	\$21,250	\$0	\$7,101	\$28,351	1	20.78
87	30	39	Flasher 39	2003	1	\$21,250	\$1,913	\$7,101	\$30,264		
88	30	39	Flasher 39	2003	1	\$21,940	\$1,075	\$7,229	\$30,244		
89	31	1	New Town 1	2003	1	\$21,700	\$4,199	\$8,973	\$32,872	1	69.38
90	31	1	New Town 1	2003	1	\$21,700	\$239	\$6,363	\$28,302		
91	31	1	New Town 1	2003	1	\$21,700	\$239	\$6,363	\$28,302		
92	31	1	New Town 1	2003	1	\$21,700	\$1,758	\$6,597	\$30,055		
93	31	3	Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517	1	28.00
94	31	3	Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517		
95	31	137	Plaza 137	2003	1	\$20,450	\$0	\$4,536	\$24,986	1	3.60
96	33	18	Center 18	2003	1	\$20,000	\$3,764	\$9,028	\$32,792	1	22.03
97	36	1	Devils Lake 1	2003	1	\$20,250	\$3,139	\$8,634	\$32,023	1	134.14
98	36	1	Devils Lake 1	2003	1	\$20,250	\$0	\$7,866	\$28,116		
99	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
100	36	1	Devils Lake 1	2003	1	\$20,850	\$2,430	\$8,607	\$31,887		
101	36	1	Devils Lake 1	2003	1	\$20,850	\$1,215	\$8,310	\$30,375		
102	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
103	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
104	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
105	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
106	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
107	36	1	Devils Lake 1	2003	1	\$21,450	\$3,291	\$8,964	\$33,705		
108	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
109	37	2	Sheldon 2	2003	1	\$20,500	\$594	\$6,365	\$27,459	1	4.09
110	38	9	Mohall 9	2003	1	\$21,800	\$2,610	\$6,174	\$30,584	1	25.01
111	39	18	Fairmount 18	2003	1	\$21,400	\$4,327	\$8,836	\$34,563	1	12.70
112	39	28	Lidgerwood 28	2003	1	\$20,977	\$1,071	\$6,642	\$28,690	1	19.93
113	39	37	Wahpeton 37	2003	1	\$20,100	\$3,608	\$9,018	\$32,726	1	102.85
114	39	37	Wahpeton 37	2003	1	\$20,436	\$3,647	\$12,497	\$36,580		
115	39	37	Wahpeton 37	2003	1	\$20,436	\$7,576	\$10,073	\$38,085		
116	39	37	Wahpeton 37	2003	1	\$21,127	\$3,384	\$12,604	\$37,115		
117	39	37	Wahpeton 37	2003	1	\$21,127	\$2,221	\$12,315	\$35,663		
118	39	37	Wahpeton 37	2003	1	\$21,201	\$1,675	\$8,807	\$31,683		
119	39	37	Wahpeton 37	2003	1	\$21,821	\$2,814	\$12,631	\$37,266		
120	39	44	Richland 44	2003	1	\$20,500	\$0	\$3,704	\$24,204	1	24.63
121	39	44	Richland 44	2003	1	\$20,570	\$1,845	\$8,521	\$30,936		
122	39	44	Richland 44	2003	1	\$21,135	\$2,460	\$8,809	\$32,404		
123	39	44	Richland 44	2003	1	\$21,135	\$1,840	\$8,809	\$31,384		
124	39	44	Richland 44	2003	1	\$21,585	\$0	\$6,538	\$27,123		

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by **\$22,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

\$22,500

County	District #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	FTE Impacted in District
1	13	Hettinger 13	2003	1	\$21,700	\$4,410	\$8,558	\$34,668	1
2	13	Hettinger 13	2003	1	\$21,700	\$1,600	\$8,558	\$31,858	
3	13	Hettinger 13	2003	1	\$21,700	\$2,600	\$8,558	\$32,858	
4	13	Hettinger 13	2003	1	\$21,700	\$630	\$8,558	\$30,888	
5	2	Valley City 2	2003	1	\$20,448	\$0	\$5,426	\$25,874	1
6	13	Oriska 13	2003	1	\$21,000	\$863	\$7,221	\$29,084	1
7	13	Oriska 13	2003	1	\$21,700	\$241	\$7,236	\$29,177	
8	13	Oriska 13	2003	1	\$22,000	\$244	\$7,292	\$29,536	
9	5	Minnewaukan 5	2003	1	\$21,000	\$2,550	\$7,308	\$30,858	1
10	5	Minnewaukan 5	2003	1	\$21,700	\$1,980	\$7,691	\$31,371	
11	5	Minnewaukan 5	2003	1	\$22,050	\$0	\$6,971	\$29,021	
12	5	Minnewaukan 5	2003	1	\$22,400	\$0	\$7,130	\$29,530	
13	6	Leeds 6	2003	1	\$21,625	\$2,825	\$7,404	\$31,854	1
14	9	Maddock 9	2003	1	\$20,950	\$1,875	\$6,400	\$29,225	1
15	9	Maddock 9	2003	1	\$21,950	\$2,775	\$6,693	\$31,418	
16	16	Oberon 16	2003	1	\$22,000	\$3,089	\$5,650	\$30,739	1
17	29	Warwick 29	2003	1	\$21,200	\$2,472	\$7,088	\$30,760	1
18	29	Warwick 29	2003	1	\$21,650	\$2,482	\$8,946	\$33,078	
19	29	Warwick 29	2003	1	\$22,150	\$2,493	\$10,195	\$34,838	
20	1	Bottineau 1	2003	1	\$22,250	\$0	\$8,535	\$30,785	1
21	1	Bottineau 1	2003	1	\$22,250	\$925	\$8,749	\$31,924	
22	13	Willow City 13	2003	1	\$21,800	\$0	\$8,122	\$29,922	1
23	13	Willow City 13	2003	1	\$22,210	\$0	\$8,350	\$30,560	
24	35	Lansford 35	2003	1	\$20,200	\$0	\$5,400	\$25,600	1
25	54	Newburg-United 54	2003	1	\$22,050	\$1,225	\$7,031	\$30,306	1
26	17	Rhame 17	2003	1	\$21,850	\$0	\$7,793	\$29,643	1
27	33	Scranton 33	2003	1	\$21,600	\$3,564	\$8,936	\$34,100	1
28	14	Bowbells 14	2003	1	\$21,350	\$193	\$6,218	\$27,761	1
29	14	Bowbells 14	2003	1	\$21,380	\$2,302	\$6,542	\$30,194	
30	14	Bowbells 14	2003	1	\$22,050	\$1,302	\$6,496	\$29,848	
31	29	Baldwin 29	2003	1	\$20,250	\$500	\$804	\$21,554	1
32	29	Baldwin 29	2003	1	\$21,050	\$1,150	\$860	\$23,060	
33	35	Sterling 35	2003	1	\$21,370	\$0	\$1,200	\$22,570	1
34	45	Manning 45	2003	1	\$20,000	\$500	\$1,550	\$22,050	1
35	97	Northern Cass 97	2003	1	\$21,475	\$5,929	\$10,280	\$37,684	1
36	97	Northern Cass 97	2003	1	\$21,900	\$0	\$6,685	\$28,585	
37	97	Northern Cass 97	2003	1	\$21,900	\$1,629	\$8,819	\$32,348	
38	40	Ellendale 40	2003	1	\$22,060	\$2,100	\$7,889	\$32,049	1
39	40	Ellendale 40	2003	1	\$22,460	\$2,100	\$7,950	\$32,510	
40	1	New Rockford 1	2003	1	\$21,450	\$0	\$8,645	\$30,095	1
41	1	New Rockford 1	2003	1	\$21,450	\$1,080	\$8,645	\$31,175	
42	1	New Rockford 1	2003	1	\$21,850	\$1,180	\$8,742	\$31,772	
43	1	New Rockford 1	2003	1	\$22,250	\$2,860	\$8,852	\$33,962	
44	1	New Rockford 1	2003	1	\$22,250	\$0	\$8,840	\$31,090	
45	1	New Rockford 1	2003	1	\$22,250	\$4,385	\$8,852	\$35,487	
46	12	Sheyenne 12	2003	1	\$21,100	\$950	\$8,455	\$30,505	1
47	12	Sheyenne 12	2003	1	\$21,100	\$0	\$8,223	\$29,323	
48	12	Sheyenne 12	2003	1	\$21,800	\$0	\$8,394	\$30,194	
49	6	Hazleton-Moffit-Braddock 6	2003	1	\$21,480	\$6,140	\$4,700	\$32,320	1
50	6	Hazleton-Moffit-Braddock 6	2003	1	\$21,480	\$0	\$4,700	\$26,180	
51	10	Bakker 10	2003	1	\$20,761	\$1,000	\$1,500	\$23,261	1
52	36	Linton 36	2003	1	\$22,084	\$0	\$8,302	\$30,386	1
53	3	Beach 3	2003	1	\$21,500	\$1,500	\$8,361	\$31,361	1
54	3	Beach 3	2003	1	\$21,500	\$2,850	\$8,570	\$32,920	
55	3	Beach 3	2003	1	\$22,350	\$3,655	\$8,825	\$34,830	

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10-16-03
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Number of Full-time teachers only & Districts Impacted by **\$22,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

Number of Full-time Teachers Impacted in District

\$22,500

County	District #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp.	Number of Teachers	Ratio
17	3	Beach 3	2003	1	\$22,360	\$1,260	\$8,455	\$32,055		
17	6	Lone Tree 6	2003	1	\$20,000	\$0	\$4,861	\$24,861	1	6.00
17	6	Lone Tree 6	2003	1	\$20,700	\$0	\$4,943	\$25,643		
18	61	Thompson 61	2003	1	\$22,000	\$1,791	\$4,771	\$28,562	1	31.64
18	129	Northwood 129	2003	1	\$21,800	\$2,591	\$9,375	\$33,766	1	24.83
18	129	Northwood 129	2003	1	\$22,321	\$3,446	\$9,712	\$35,479		
19	18	Roosevelt 18	2003	1	\$21,800	\$1,440	\$8,215	\$31,455	1	25.14
19	18	Roosevelt 18	2003	1	\$22,100	\$0	\$7,944	\$30,044		
21	1	Mott-Regent 1	2003	1	\$21,000	\$0	\$3,213	\$24,213	1	33.89
21	1	Mott-Regent 1	2003	1	\$21,000	\$0	\$10,334	\$31,334		
21	1	Mott-Regent 1	2003	1	\$21,650	\$0	\$10,434	\$32,084		
21	1	Mott-Regent 1	2003	1	\$22,000	\$0	\$6,509	\$28,509		
22	11	Pettibone-Tuttle 11	2003	1	\$22,150	\$0	\$8,664	\$30,814	1	5.00
22	20	Tuttle-Pettibone 20	2003	1	\$21,825	\$307	\$6,908	\$29,040	1	8.43
22	28	Tappen 28	2003	1	\$20,500	\$0	\$3,557	\$24,057	1	12.50
22	28	Tappen 28	2003	1	\$20,700	\$3,600	\$4,127	\$28,327		
22	28	Tappen 28	2003	1	\$20,700	\$7,300	\$5,912	\$33,912		
22	28	Tappen 28	2003	1	\$20,900	\$500	\$4,596	\$25,996		
22	28	Tappen 28	2003	1	\$21,500	\$1,600	\$5,157	\$28,257		
22	28	Tappen 28	2003	1	\$21,900	\$0	\$3,773	\$25,673		
24	2	Napoleon 2	2003	1	\$22,300	\$7,305	\$8,403	\$38,008	1	24.30
24	2	Napoleon 2	2003	1	\$22,300	\$2,052	\$7,693	\$31,945		
24	2	Napoleon 2	2003	1	\$22,300	\$3,246	\$7,777	\$33,323		
24	2	Napoleon 2	2003	1	\$22,300	\$1,667	\$7,533	\$31,500		
25	14	Anamoose 14	2003	1	\$20,800	\$2,410	\$4,850	\$28,060	1	9.98
25	57	Drake 57	2003	1	\$21,550	\$2,800	\$5,109	\$29,459	1	15.78
25	57	Drake 57	2003	1	\$21,975	\$2,000	\$5,078	\$29,053		
25	60	TGU 60	2003	1	\$20,000	\$1,371	\$6,397	\$27,768	1	39.28
25	60	TGU 60	2003	1	\$20,000	\$2,243	\$6,397	\$28,640		
25	60	TGU 60	2003	1	\$20,000	\$726	\$6,323	\$27,049		
25	60	TGU 60	2003	1	\$20,000	\$111	\$6,323	\$26,434		
26	4	Zeeland 4	2003	1	\$21,350	\$0	\$4,718	\$26,068	1	10.15
26	4	Zeeland 4	2003	1	\$22,300	\$0	\$4,792	\$27,092		
26	9	Ashley 9	2003	1	\$22,400	\$0	\$7,329	\$29,729	1	19.75
26	19	Wishek 19	2003	1	\$21,183	\$0	\$7,856	\$29,039	1	21.25
26	19	Wishek 19	2003	1	\$21,570	\$3,345	\$8,410	\$33,323		
26	19	Wishek 19	2003	1	\$21,570	\$4,775	\$8,831	\$34,976		
26	19	Wishek 19	2003	1	\$21,925	\$1,625	\$8,200	\$31,750		
26	19	Wishek 19	2003	1	\$22,290	\$2,745	\$8,429	\$33,464		
27	19	Bowline Butte 19	2003	1	\$20,000	\$0	\$1,500	\$21,500	1	1.00
27	32	Horse Creek 32	2003	1	\$20,000	\$1,000	\$600	\$21,600	1	1.20
28	1	Montefiore 1	2003	1	\$20,300	\$0	\$5,166	\$25,466	1	21.90
28	1	Montefiore 1	2003	1	\$21,900	\$750	\$4,465	\$27,115		
28	1	Montefiore 1	2003	1	\$22,100	\$250	\$3,692	\$26,042		
28	1	Montefiore 1	2003	1	\$22,100	\$950	\$5,589	\$28,639		
28	50	Max 50	2003	1	\$21,850	\$88	\$5,395	\$27,333	1	16.67
28	50	Max 50	2003	1	\$22,300	\$198	\$7,065	\$29,563		
28	51	Garrison 51	2003	1	\$22,000	\$0	\$6,575	\$28,575	1	29.90
28	51	Garrison 51	2003	1	\$22,000	\$3,899	\$7,245	\$33,144		
28	51	Garrison 51	2003	1	\$22,000	\$0	\$3,795	\$25,795		
29	3	Hazen 3	2003	1	\$21,955	\$3,775	\$5,439	\$31,169	1	47.81
29	22	Stanton 22	2003	1	\$20,500	\$1,900	\$5,985	\$28,385	1	9.95
29	22	Stanton 22	2003	1	\$22,323	\$2,100	\$8,209	\$32,632		
30	1	Mandan 1	2003	1	\$21,300	\$1,986	\$6,346	\$29,632	1	233.60
30	1	Mandan 1	2003	1	\$21,300	\$4,370	\$8,726	\$32,396		

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Number of Full-time teachers only & Districts Impacted by **\$22,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

FTE Impacted Districts

\$22,500

County	District	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp.	FTE Impacted Districts
111	30	1 Mandan 1	2003	1	\$21,300	\$2,185	\$6,377	\$29,862	
112	30	1 Mandan 1	2003	1	\$21,811	\$2,240	\$6,468	\$30,519	
113	30	1 Mandan 1	2003	1	\$21,811	\$331	\$6,163	\$28,305	
114	30	1 Mandan 1	2003	1	\$21,811	\$3,387	\$6,651	\$31,849	
115	30	1 Mandan 1	2003	1	\$21,811	\$0	\$6,110	\$27,921	
116	30	1 Mandan 1	2003	1	\$21,811	\$2,313	\$10,271	\$34,395	
117	30	1 Mandan 1	2003	1	\$21,811	\$0	\$9,902	\$31,713	
118	30	1 Mandan 1	2003	1	\$22,067	\$397	\$10,007	\$32,471	
119	30	1 Mandan 1	2003	1	\$22,322	\$0	\$3,684	\$26,006	
120	30	1 Mandan 1	2003	1	\$22,322	\$0	\$6,192	\$28,514	
121	30	1 Mandan 1	2003	1	\$22,322	\$397	\$10,047	\$32,766	
122	30	1 Mandan 1	2003	1	\$22,322	\$0	\$9,984	\$32,306	
123	30	1 Mandan 1	2003	1	\$22,323	\$5,504	\$10,862	\$38,689	
124	30	4 Little Heart 4	2003	1	\$20,500	\$0	\$3,178	\$23,678	1 3.00
125	30	4 Little Heart 4	2003	1	\$21,500	\$0	\$3,332	\$24,832	
126	30	7 New Salem 7	2003	1	\$21,000	\$0	\$7,351	\$28,351	1 29.62
127	30	7 New Salem 7	2003	1	\$21,410	\$1,155	\$8,747	\$31,312	
128	30	7 New Salem 7	2003	1	\$22,230	\$6,000	\$8,465	\$36,695	
129	30	7 New Salem 7	2003	1	\$22,230	\$0	\$7,541	\$29,771	
130	30	7 New Salem 7	2003	1	\$22,230	\$0	\$7,541	\$29,771	
131	30	8 Sims 8	2003	1	\$21,148	\$0	\$7,257	\$28,405	1 5.45
132	30	39 Flasher 39	2003	1	\$21,250	\$0	\$7,101	\$28,351	1 20.78
133	30	39 Flasher 39	2003	1	\$21,250	\$1,913	\$7,101	\$30,264	
134	30	39 Flasher 39	2003	1	\$21,940	\$1,075	\$7,229	\$30,244	
135	30	39 Flasher 39	2003	1	\$22,290	\$1,075	\$7,295	\$30,660	
136	31	1 New Town 1	2003	1	\$21,700	\$4,199	\$6,973	\$32,872	1 69.38
137	31	1 New Town 1	2003	1	\$21,700	\$239	\$6,363	\$28,302	
138	31	1 New Town 1	2003	1	\$21,700	\$239	\$6,363	\$28,302	
139	31	1 New Town 1	2003	1	\$21,700	\$1,758	\$6,597	\$30,055	
140	31	1 New Town 1	2003	1	\$22,250	\$242	\$3,549	\$26,041	
141	31	1 New Town 1	2003	1	\$22,250	\$1,772	\$7,552	\$31,574	
142	31	1 New Town 1	2003	1	\$22,250	\$242	\$3,549	\$26,041	
143	31	2 Stanley 2	2003	1	\$22,000	\$2,828	\$8,624	\$33,452	1 35.10
144	31	3 Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517	1 28.00
145	31	3 Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517	
146	31	137 Plaza 137	2003	1	\$20,450	\$0	\$4,536	\$24,986	1 3.60
147	32	1 Dakota Prairie 1	2003	1	\$22,387	\$4,500	\$7,204	\$34,091	1 31.34
148	33	18 Center 18	2003	1	\$20,000	\$3,764	\$9,028	\$32,792	1 22.03
149	33	18 Center 18	2003	1	\$22,280	\$1,826	\$9,113	\$33,219	
150	34	6 Cavalier 6	2003	1	\$22,400	\$0	\$8,623	\$31,023	1 45.10
151	34	43 St Thomas 43	2003	1	\$22,455	\$0	\$5,347	\$27,802	1 13.14
152	35	1 Wolford 1	2003	1	\$22,400	\$2,675	\$4,460	\$29,535	1 10.38
153	35	5 Rugby 5	2003	1	\$22,000	\$3,761	\$7,125	\$32,886	1 65.57
154	36	1 Devils Lake 1	2003	1	\$20,250	\$3,139	\$8,634	\$32,023	1 134.14
155	36	1 Devils Lake 1	2003	1	\$20,250	\$0	\$7,866	\$28,116	
156	36	1 Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863	
157	36	1 Devils Lake 1	2003	1	\$20,850	\$2,430	\$8,607	\$31,887	
158	36	1 Devils Lake 1	2003	1	\$20,850	\$1,215	\$8,310	\$30,375	
159	36	1 Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863	
160	36	1 Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863	
161	36	1 Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863	
162	36	1 Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610	
163	36	1 Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610	
164	36	1 Devils Lake 1	2003	1	\$21,450	\$3,291	\$8,964	\$33,705	
165	36	1 Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610	

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Yuberean d. Lee
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by **\$22,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

\$22,500

Line #	County #	Dist #	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	1	3,468.19
166	36	1	Devils Lake 1	2003	1	\$22,050	\$0	\$6,308	\$30,358		
167	37	2	Sheldon 2	2003	1	\$20,500	\$594	\$6,365	\$27,459	1	4.09
168	38	9	Mohall 9	2003	1	\$21,800	\$2,610	\$6,174	\$30,584	1	25.01
169	38	9	Mohall 9	2003	1	\$22,000	\$1,510	\$3,621	\$27,131		
170	39	18	Fairmount 18	2003	1	\$21,400	\$4,327	\$8,836	\$34,563	1	12.70
171	39	28	Lidgerwood 28	2003	1	\$20,977	\$1,071	\$6,642	\$28,690	1	19.93
172	39	37	Wahpeton 37	2003	1	\$20,100	\$3,668	\$9,018	\$32,786	1	102.85
173	39	37	Wahpeton 37	2003	1	\$20,436	\$3,647	\$12,497	\$36,580		
174	39	37	Wahpeton 37	2003	1	\$20,436	\$7,576	\$10,073	\$38,085		
175	39	37	Wahpeton 37	2003	1	\$21,127	\$3,384	\$12,604	\$37,115		
176	39	37	Wahpeton 37	2003	1	\$21,127	\$2,221	\$12,315	\$35,663		
177	39	37	Wahpeton 37	2003	1	\$21,201	\$1,875	\$8,807	\$31,883		
178	39	37	Wahpeton 37	2003	1	\$21,821	\$2,814	\$12,631	\$37,266		
179	39	44	Richland 44	2003	1	\$20,500	\$0	\$3,704	\$24,204	1	24.63
180	39	44	Richland 44	2003	1	\$20,570	\$1,846	\$8,521	\$30,936		
181	39	44	Richland 44	2003	1	\$21,135	\$2,460	\$8,809	\$32,404		
182	39	44	Richland 44	2003	1	\$21,135	\$1,640	\$8,609	\$31,384		
183	39	44	Richland 44	2003	1	\$21,585	\$0	\$5,538	\$27,123		
184	40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622	1	33.17
185	40	4	Mt Pleasant 4	2003	1	\$21,100	\$1,750	\$6,244	\$29,094		
186	40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622		
187	40	4	Mt Pleasant 4	2003	1	\$21,510	\$850	\$6,168	\$28,528		
188	41	2	Milnor 2	2003	1	\$22,000	\$0	\$8,214	\$30,214	1	21.34
189	41	2	Milnor 2	2003	1	\$22,350	\$900	\$8,520	\$31,770		
190	41	2	Milnor 2	2003	1	\$22,350	\$200	\$8,349	\$30,899		
191	41	3	N Sargent 3	2003	1	\$22,400	\$1,465	\$3,240	\$27,105	1	18.50
192	42	16	Goodrich 16	2003	1	\$21,750	\$0	\$5,860	\$27,610	1	9.01
193	42	19	McClusky 19	2003	1	\$21,465	\$8,775	\$9,640	\$39,880	1	14.68
194	43	3	Solen 3	2003	1	\$21,350	\$0	\$9,822	\$31,172	1	26.00
195	44	12	Marmarth 12	2003	1	\$21,090	\$0	\$4,881	\$25,971	1	2.32
196	44	14	Sheets 14	2003	1	\$20,007	\$1,202	\$3,266	\$24,475	1	1.07
197	44	32	Central Elem 32	2003	1	\$20,000	\$610	\$5,089	\$25,699	1	2.23
198	45	1	Dickinson 1	2003	1	\$20,300	\$0	\$5,229	\$25,529	1	215.42
199	45	1	Dickinson 1	2003	1	\$21,092	\$1,898	\$5,648	\$28,638		
200	45	1	Dickinson 1	2003	1	\$21,092	\$0	\$8,248	\$29,340		
201	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358		
202	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358		
203	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$8,371	\$30,254		
204	45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358		
205	45	1	Dickinson 1	2003	1	\$22,086	\$0	\$8,403	\$30,489		
206	45	13	Belfield 13	2003	1	\$20,000	\$926	\$6,275	\$27,201	1	23.80
207	45	13	Belfield 13	2003	1	\$22,000	\$0	\$6,440	\$28,440		
208	45	34	Richardton-Taylor 34	2003	1	\$21,010	\$0	\$9,213	\$30,223	1	28.23
209	46	10	Hope 10	2003	1	\$22,025	\$1,925	\$9,456	\$33,406	1	12.50
210	47	3	Medina 3	2003	1	\$22,425	\$0	\$5,227	\$27,652	1	18.30
211	47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$50	\$6,291	\$27,691	1	15.15
212	47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$2,800	\$6,714	\$30,864		
213	47	10	Pingree-Buchanan 10	2003	1	\$21,700	\$400	\$6,398	\$28,498		
214	47	14	Montpeller 14	2003	1	\$20,000	\$1,550	\$5,904	\$27,454	1	15.62
215	47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
216	47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627		
217	47	14	Montpeller 14	2003	1	\$21,300	\$1,375	\$6,077	\$28,752		
218	47	19	Kensal 19	2003	1	\$20,800	\$985	\$7,049	\$28,834	1	9.65
219	47	19	Kensal 19	2003	1	\$22,400	\$0	\$3,533	\$25,933		
220	48	2	Bisbee-Egeland 2	2003	1	\$22,000	\$3,200	\$6,823	\$32,023	1	13.50

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Yuberena J. Lee
Operator's Signature

10-16-03
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Number of Full-time teachers only & Districts Impacted by **\$22,500** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

Districts
FTEs Impacted Districts

\$22,500

County	District	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp.	# Districts	FTEs Impacted Districts
221	48	2 Blsbee-Egeland 2	2003	1	\$22,350	\$0	\$6,385	\$28,735		
222	48	8 Southern 8	2003	1	\$21,500	\$1,700	\$6,636	\$29,836	1	23.63
223	48	28 N Central 28	2003	1	\$21,750	\$1,383	\$6,030	\$29,163	1	9.87
224	49	3 Central Valley 3	2003	1	\$22,350	\$120	\$8,862	\$31,332	1	21.43
225	49	3 Central Valley 3	2003	1	\$22,350	\$2,804	\$9,494	\$34,648		
226	49	7 Hatton 7	2003	1	\$21,800	\$1,850	\$9,196	\$32,846	1	19.94
227	50	3 Grafton 3	2003	1	\$22,250	\$0	\$6,677	\$28,927	1	52.64
228	50	3 Grafton 3	2003	1	\$22,250	\$0	\$6,367	\$28,617		
229	50	3 Grafton 3	2003	1	\$22,250	\$2,136	\$6,696	\$31,082		
230	50	39 Lankin 39	2003	1	\$21,720	\$111	\$3,486	\$25,317	1	6.75
231	50	78 Park River 78	2003	1	\$22,450	\$819	\$3,796	\$27,065	1	29.89
232	50	79 Fordville 79	2003	1	\$21,794	\$0	\$4,005	\$25,799	1	8.50
233	51	1 Minot 1	2003	1	\$22,356	\$0	\$7,166	\$29,522	1	559.48
234	51	7 United 7	2003	1	\$22,100	\$0	\$9,404	\$25,604	1	49.00
235	51	7 United 7	2003	1	\$22,100	\$3,400	\$6,394	\$31,894		
236	51	7 United 7	2003	1	\$22,300	\$0	\$3,435	\$25,735		
237	51	16 Sawyer 16	2003	1	\$21,000	\$2,865	\$2,250	\$26,115	1	18.41
238	51	16 Sawyer 16	2003	1	\$21,480	\$0	\$2,250	\$23,730		
239	51	16 Sawyer 16	2003	1	\$21,480	\$2,675	\$2,250	\$26,405		
240	51	16 Sawyer 16	2003	1	\$21,980	\$1,780	\$2,250	\$26,010		
241	51	19 Eureka 19	2003	1	\$20,000	\$300	\$5,980	\$26,280	1	1.96
242	51	41 Surrey 41	2003	1	\$21,900	\$1,260	\$7,663	\$30,823	1	33.54
243	51	41 Surrey 41	2003	1	\$22,350	\$0	\$7,465	\$29,815		
244	51	41 Surrey 41	2003	1	\$22,400	\$1,150	\$7,758	\$31,308		
245	51	54 Berthold 54	2003	1	\$20,650	\$455	\$5,985	\$27,090	1	23.40
246	51	54 Berthold 54	2003	1	\$20,650	\$3,188	\$6,420	\$30,258	1	
247	51	54 Berthold 54	2003	1	\$20,950	\$1,410	\$6,926	\$29,286		
248	51	54 Berthold 54	2003	1	\$21,850	\$2,616	\$6,521	\$30,987		
249	51	70 S Prairie 70	2003	1	\$21,800	\$0	\$6,323	\$28,123	1	12.20
250	51	158 N Shore 158	2003	1	\$20,000	\$600	\$8,037	\$28,637	1	16.14
251	51	158 N Shore 158	2003	1	\$20,000	\$1,600	\$8,281	\$29,881		
252	51	158 N Shore 158	2003	1	\$20,900	\$3,450	\$8,954	\$33,304		
253	51	158 N Shore 158	2003	1	\$21,850	\$2,855	\$9,041	\$33,746		
254	52	25 Fessenden-Bowdon 25	2003	1	\$21,550	\$1,743	\$8,796	\$32,089	1	23.64
255	52	25 Fessenden-Bowdon 25	2003	1	\$22,100	\$2,310	\$9,068	\$33,478		
256	52	35 Pleasant Valley 35	2003	1	\$21,200	\$0	\$3,520	\$24,720	1	3.00
257	52	39 Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	1	10.05
258	52	39 Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455		
259	52	39 Sykes 39	2003	1	\$20,000	\$1,750	\$4,602	\$26,352		
260	53	1 Williston 1	2003	1	\$21,860	\$0	\$7,144	\$29,004	1	159.05
261	53	1 Williston 1	2003	1	\$22,320	\$3,280	\$8,059	\$33,659		
262	53	2 Nesson 2	2003	1	\$21,900	\$0	\$4,928	\$26,828	1	18.68
263	53	2 Nesson 2	2003	1	\$21,900	\$0	\$4,928	\$26,828	1	

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Number of Full-time teachers only & Districts Impacted by **\$23,000** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

Districts
FTE Impacted in District
\$23,000

	County	District	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	# Districts	FTE Impacted in District
1	1	13	Hettinger 13	2003	1	\$21,700	\$4,410	\$8,558	\$34,668	1	34.42
2	1	13	Hettinger 13	2003	1	\$21,700	\$1,600	\$8,558	\$31,858		
3	1	13	Hettinger 13	2003	1	\$21,700	\$2,600	\$8,558	\$32,858		
4	1	13	Hettinger 13	2003	1	\$21,700	\$630	\$8,558	\$30,888		
5	2	2	Valley City 2	2003	1	\$20,446	\$0	\$5,428	\$25,874	1	75.00
6	2	13	Oriska 13	2003	1	\$21,000	\$863	\$7,221	\$29,084	1	9.39
7	2	13	Oriska 13	2003	1	\$21,700	\$241	\$7,238	\$29,177		
8	2	13	Oriska 13	2003	1	\$22,000	\$244	\$7,292	\$29,536		
9	3	5	Minnewaukan 5	2003	1	\$21,000	\$2,550	\$7,308	\$30,858	1	14.62
10	3	5	Minnewaukan 5	2003	1	\$21,700	\$1,980	\$7,691	\$31,371		
11	3	5	Minnewaukan 5	2003	1	\$22,050	\$0	\$6,971	\$29,021		
12	3	5	Minnewaukan 5	2003	1	\$22,400	\$0	\$7,130	\$29,530		
13	3	6	Leeds 6	2003	1	\$21,625	\$2,825	\$7,404	\$31,854	1	18.07
14	3	9	Maddock 9	2003	1	\$20,950	\$1,875	\$6,400	\$29,225	1	19.15
15	3	9	Maddock 9	2003	1	\$21,950	\$2,775	\$6,693	\$31,418		
16	3	9	Maddock 9	2003	1	\$22,850	\$3,335	\$6,966	\$33,151		
17	3	16	Oberon 16	2003	1	\$22,000	\$3,089	\$5,650	\$30,739	1	7.67
18	3	29	Warwick 29	2003	1	\$21,200	\$2,472	\$7,088	\$30,760	1	21.00
19	3	29	Warwick 29	2003	1	\$21,650	\$2,482	\$8,946	\$33,078		
20	3	29	Warwick 29	2003	1	\$22,150	\$2,493	\$10,195	\$34,838		
21	3	29	Warwick 29	2003	1	\$22,550	\$2,502	\$9,352	\$34,404		
22	3	30	Fl Totten 30	2003	1	\$22,500	\$2,651	\$6,543	\$31,694	1	27.00
23	5	1	Bottineau 1	2003	1	\$22,250	\$0	\$8,535	\$30,785	1	59.16
24	5	1	Bottineau 1	2003	1	\$22,250	\$925	\$8,749	\$31,924		
25	5	1	Bottineau 1	2003	1	\$22,850	\$1,710	\$9,101	\$33,661		
26	5	13	Willow City 13	2003	1	\$21,800	\$0	\$8,122	\$29,922	1	10.90
27	5	13	Willow City 13	2003	1	\$22,210	\$0	\$8,350	\$30,560		
28	5	13	Willow City 13	2003	1	\$22,590	\$0	\$8,303	\$30,893		
29	5	17	Westhope 17	2003	1	\$22,750	\$0	\$8,748	\$31,498	1	16.15
30	5	35	Lansford 35	2003	1	\$20,200	\$0	\$5,400	\$25,600	1	5.10
31	5	54	Newburg-United 54	2003	1	\$22,050	\$1,225	\$7,031	\$30,306	1	13.42
32	6	1	Bowman 1	2003	1	\$22,650	\$1,812	\$9,259	\$33,721	1	39.36
33	6	1	Bowman 1	2003	1	\$22,650	\$4,530	\$10,530	\$37,710		
34	6	17	Rhame 17	2003	1	\$21,850	\$0	\$7,793	\$29,643	1	11.70
35	6	33	Scranton 33	2003	1	\$21,600	\$3,564	\$8,936	\$34,100	1	19.02
36	7	14	Bowbells 14	2003	1	\$21,350	\$193	\$6,218	\$27,761	1	13.57
37	7	14	Bowbells 14	2003	1	\$21,350	\$2,302	\$6,542	\$30,194		
38	7	14	Bowbells 14	2003	1	\$22,050	\$1,302	\$6,496	\$29,848		
39	7	14	Bowbells 14	2003	1	\$22,892	\$1,957	\$6,727	\$31,576		
40	8	29	Baldwin 29	2003	1	\$20,250	\$500	\$804	\$21,554	1	2.00
41	8	29	Baldwin 29	2003	1	\$21,050	\$1,150	\$860	\$23,060		
42	8	35	Sterling 35	2003	1	\$21,370	\$0	\$1,200	\$22,570	1	3.45
43	8	45	Manning 45	2003	1	\$20,000	\$500	\$1,550	\$22,050	1	1.00
44	9	97	Northern Cass 97	2003	1	\$21,475	\$5,929	\$10,280	\$37,684	1	36.46
45	9	97	Northern Cass 97	2003	1	\$21,900	\$0	\$6,685	\$28,585		
46	9	97	Northern Cass 97	2003	1	\$21,900	\$1,629	\$8,819	\$32,348		
47	9	97	Northern Cass 97	2003	1	\$22,750	\$2,440	\$9,227	\$34,417		
48	10	19	Munich 19	2003	1	\$22,500	\$0	\$6,406	\$28,906	1	12.85
49	10	23	Langdon Area 23	2003	1	\$22,900	\$2,990	\$6,993	\$32,883	1	44.71
50	11	40	Ellendale 40	2003	1	\$22,060	\$2,100	\$7,889	\$32,049	1	35.12
51	11	40	Ellendale 40	2003	1	\$22,460	\$2,100	\$7,950	\$32,510		
52	11	40	Ellendale 40	2003	1	\$22,500	\$2,100	\$7,956	\$32,556		
53	11	40	Ellendale 40	2003	1	\$22,780	\$1,100	\$7,846	\$31,726		
54	11	40	Ellendale 40	2003	1	\$22,900	\$2,100	\$8,018	\$33,018		
55	12	1	Divide County 1	2003	1	\$22,700	\$5,124	\$6,546	\$34,370	1	29.50
56	12	1	Divide County 1	2003	1	\$22,700	\$4,400	\$6,430	\$33,530		
57	12	1	Divide County 1	2003	1	\$22,700	\$1,750	\$4,284	\$28,714		
58	14	1	New Rockford 1	2003	1	\$21,450	\$0	\$8,645	\$30,095	1	32.08
59	14	1	New Rockford 1	2003	1	\$21,450	\$1,080	\$8,645	\$31,175		
60	14	1	New Rockford 1	2003	1	\$21,850	\$1,180	\$8,742	\$31,772		
61	14	1	New Rockford 1	2003	1	\$22,250	\$2,860	\$8,852	\$33,962		
62	14	1	New Rockford 1	2003	1	\$22,250	\$0	\$8,840	\$31,090		

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Number of Full-time teachers only & Districts Impacted by **\$23,000** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

FTE Impacted in Districts **\$23,000**

County	District	District Name	School Year	Classified FTE	Base Salary	Other Salary	Benefits	Total Comp	133	2007-08
83	14	1 New Rockford 1	2003	1	\$22,250	\$4,385	\$8,852	\$35,487		
64	14	1 New Rockford 1	2003	1	\$22,850	\$6,190	\$8,951	\$37,991		
65	14	12 Sheyenne 12	2003	1	\$21,100	\$950	\$8,455	\$30,505	1	14.10
66	14	12 Sheyenne 12	2003	1	\$21,100	\$0	\$8,223	\$29,323		
67	14	12 Sheyenne 12	2003	1	\$21,800	\$0	\$8,394	\$30,194		
68	14	12 Sheyenne 12	2003	1	\$22,800	\$950	\$8,658	\$32,408		
69	15	6 Hazellon-Moffit-Braddock 6	2003	1	\$21,480	\$6,140	\$4,700	\$32,320	1	17.27
70	15	6 Hazellon-Moffit-Braddock 6	2003	1	\$21,480	\$0	\$4,700	\$26,180		
71	15	6 Hazellon-Moffit-Braddock 6	2003	1	\$22,500	\$624	\$4,700	\$27,824		
72	15	6 Hazellon-Moffit-Braddock 6	2003	1	\$22,500	\$479	\$4,700	\$27,679		
73	15	10 Bakker 10	2003	1	\$20,761	\$1,000	\$1,500	\$23,261	1	1.00
74	15	36 Linton 36	2003	1	\$22,094	\$0	\$8,302	\$30,396	1	31.14
75	15	36 Linton 36	2003	1	\$22,625	\$748	\$8,499	\$31,872		
76	16	36 Linton 36	2003	1	\$22,875	\$0	\$8,423	\$31,298		
77	16	10 Carrington 10	2003	1	\$22,900	\$1,988	\$9,224	\$34,112	1	45.70
78	16	10 Carrington 10	2003	1	\$22,900	\$2,650	\$9,388	\$34,938		
79	17	3 Beach 3	2003	1	\$21,500	\$1,500	\$8,361	\$31,361	1	35.00
80	17	3 Beach 3	2003	1	\$21,500	\$2,850	\$8,570	\$32,920		
81	17	3 Beach 3	2003	1	\$22,350	\$3,665	\$8,825	\$34,830		
82	17	3 Beach 3	2003	1	\$22,350	\$1,250	\$8,455	\$32,055		
83	17	3 Beach 3	2003	1	\$22,776	\$3,700	\$8,897	\$35,372		
84	17	6 Lone Tree 6	2003	1	\$20,000	\$0	\$4,861	\$24,861	1	6.00
85	17	6 Lone Tree 6	2003	1	\$20,700	\$0	\$4,943	\$25,643		
86	18	61 Thompson 61	2003	1	\$22,000	\$1,791	\$4,771	\$28,562	1	31.64
87	18	127 Emerado 127	2003	1	\$22,740	\$1,000	\$6,595	\$30,335	1	11.34
88	18	128 Midway 128	2003	1	\$22,700	\$2,820	\$3,715	\$29,235	1	24.75
89	18	129 Northwood 129	2003	1	\$21,800	\$2,691	\$9,375	\$33,766	1	24.83
90	18	129 Northwood 129	2003	1	\$22,321	\$3,446	\$9,712	\$35,479		
91	19	18 Roosevelt 18	2003	1	\$21,800	\$1,440	\$8,215	\$31,455	1	15.40
92	19	18 Roosevelt 18	2003	1	\$22,100	\$0	\$7,944	\$30,044		
93	19	18 Roosevelt 18	2003	1	\$22,500	\$0	\$8,039	\$30,539		
94	19	18 Roosevelt 18	2003	1	\$22,550	\$0	\$8,051	\$30,601		
95	19	49 Elgin-New Leipzig 49	2003	1	\$22,510	\$4,170	\$7,741	\$34,421	1	25.14
96	19	49 Elgin-New Leipzig 49	2003	1	\$22,860	\$2,692	\$7,585	\$33,137		
97	21	1 Mott-Regent 1	2003	1	\$21,000	\$0	\$3,213	\$24,213	1	33.89
98	21	1 Mott-Regent 1	2003	1	\$21,000	\$0	\$10,334	\$31,334		
99	21	1 Mott-Regent 1	2003	1	\$21,650	\$0	\$10,434	\$32,084		
100	21	1 Mott-Regent 1	2003	1	\$22,000	\$0	\$6,509	\$28,509		
101	22	11 Pettibone-Tuttle 11	2003	1	\$22,150	\$0	\$8,664	\$30,814	1	5.00
102	22	20 Tuttle-Pettibone 20	2003	1	\$21,825	\$307	\$6,908	\$29,040	1	8.43
103	22	28 Tappen 28	2003	1	\$20,500	\$0	\$3,557	\$24,057	1	12.50
104	22	28 Tappen 28	2003	1	\$20,700	\$3,500	\$4,127	\$28,327		
105	22	28 Tappen 28	2003	1	\$20,700	\$7,300	\$5,912	\$33,912		
106	22	28 Tappen 28	2003	1	\$20,900	\$500	\$4,596	\$25,996		
107	22	28 Tappen 28	2003	1	\$21,500	\$1,600	\$5,157	\$28,257		
108	22	28 Tappen 28	2003	1	\$21,900	\$0	\$3,773	\$25,673		
109	22	28 Tappen 28	2003	1	\$22,500	\$100	\$3,480	\$26,080		
110	22	28 Tappen 28	2003	1	\$22,700	\$0	\$3,496	\$26,196		
111	23	8 LaMoure 8	2003	1	\$22,875	\$0	\$6,523	\$29,398	1	27.13
112	23	11 Verona 11	2003	1	\$22,738	\$0	\$4,991	\$27,729	1	8.30
113	24	2 Napoleon 2	2003	1	\$22,300	\$7,305	\$8,403	\$38,008	1	24.30
114	24	2 Napoleon 2	2003	1	\$22,300	\$2,052	\$7,593	\$31,945		
115	24	2 Napoleon 2	2003	1	\$22,300	\$3,246	\$7,777	\$33,323		
116	24	2 Napoleon 2	2003	1	\$22,300	\$1,687	\$7,533	\$31,500		
117	24	2 Napoleon 2	2003	1	\$22,750	\$2,600	\$7,297	\$32,647		
118	25	14 Anamoose 14	2003	1	\$20,800	\$2,410	\$4,850	\$28,060	1	9.98
119	25	57 Drake 57	2003	1	\$21,550	\$2,800	\$5,109	\$29,459	1	15.78
120	25	57 Drake 57	2003	1	\$21,975	\$2,000	\$5,078	\$29,053		
121	25	57 Drake 57	2003	1	\$22,825	\$1,102	\$2,010	\$25,937		
122	25	60 TGU 60	2003	1	\$20,000	\$1,371	\$6,397	\$27,768	1	39.28
123	25	60 TGU 60	2003	1	\$20,000	\$2,243	\$6,397	\$28,640		
124	25	60 TGU 60	2003	1	\$20,000	\$728	\$6,323	\$27,049		



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Yuberead J. Lee
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by **\$23,000** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

FTE Impacted in Districts **\$23,000**

County	District	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	FTE
25	60	TGU 60	2003	1	\$20,000	\$111	\$6,323	\$26,434	
26	4	Zeeland 4	2003	1	\$21,350	\$0	\$4,718	\$26,068	1 10.15
26	4	Zeeland 4	2003	1	\$22,300	\$0	\$4,792	\$27,092	
26	9	Ashley 9	2003	1	\$22,400	\$0	\$7,329	\$29,729	1 19.75
26	19	Wishek 19	2003	1	\$21,183	\$0	\$7,858	\$29,039	1 21.25
26	19	Wishek 19	2003	1	\$21,570	\$3,345	\$8,410	\$33,325	
26	19	Wishek 19	2003	1	\$21,570	\$4,775	\$8,631	\$34,976	
26	19	Wishek 19	2003	1	\$21,925	\$1,825	\$8,200	\$31,750	
26	19	Wishek 19	2003	1	\$22,290	\$2,745	\$8,429	\$33,464	
26	19	Wishek 19	2003	1	\$22,765	\$225	\$8,114	\$31,104	
27	19	Bowlne Butte 19	2003	1	\$20,000	\$0	\$1,600	\$21,500	1 1.00
27	32	Horse Creek 32	2003	1	\$20,000	\$1,000	\$600	\$21,600	1 1.20
28	1	Montefiore 1	2003	1	\$20,300	\$0	\$5,166	\$25,466	1 21.90
28	1	Montefiore 1	2003	1	\$21,900	\$750	\$4,465	\$27,115	
28	1	Montefiore 1	2003	1	\$22,100	\$260	\$3,692	\$26,042	
28	1	Montefiore 1	2003	1	\$22,100	\$950	\$5,589	\$28,639	
28	1	Montefiore 1	2003	1	\$22,900	\$0	\$4,080	\$26,960	
28	8	Underwood 8	2003	1	\$22,910	\$0	\$7,502	\$30,412	1 25.07
28	50	Max 50	2003	1	\$21,850	\$88	\$5,395	\$27,333	1 16.57
28	50	Max 50	2003	1	\$22,300	\$198	\$7,065	\$29,563	
28	50	Max 50	2003	1	\$22,750	\$88	\$7,120	\$29,958	
28	51	Garrison 51	2003	1	\$22,000	\$0	\$6,575	\$28,575	1 29.90
28	51	Garrison 51	2003	1	\$22,000	\$3,899	\$7,245	\$33,144	
28	51	Garrison 51	2003	1	\$22,000	\$0	\$3,795	\$25,795	
29	3	Hazen 3	2003	1	\$21,955	\$3,775	\$5,439	\$31,169	1 47.81
29	22	Stanton 22	2003	1	\$20,500	\$1,900	\$5,985	\$28,385	1 9.95
29	22	Stanton 22	2003	1	\$22,323	\$2,100	\$8,209	\$32,632	
29	22	Stanton 22	2003	1	\$22,585	\$100	\$3,494	\$26,179	
30	1	Mandan 1	2003	1	\$21,300	\$1,986	\$6,346	\$29,632	1 233.60
30	1	Mandan 1	2003	1	\$21,300	\$4,370	\$6,726	\$32,396	
30	1	Mandan 1	2003	1	\$21,300	\$2,185	\$6,377	\$29,862	
30	1	Mandan 1	2003	1	\$21,811	\$2,240	\$6,468	\$30,519	
30	1	Mandan 1	2003	1	\$21,811	\$331	\$6,163	\$28,305	
30	1	Mandan 1	2003	1	\$21,811	\$3,387	\$6,651	\$31,849	
30	1	Mandan 1	2003	1	\$21,811	\$0	\$6,110	\$27,921	
30	1	Mandan 1	2003	1	\$21,811	\$2,313	\$10,271	\$34,395	
30	1	Mandan 1	2003	1	\$21,811	\$0	\$9,902	\$31,713	
30	1	Mandan 1	2003	1	\$22,067	\$397	\$10,007	\$32,471	
30	1	Mandan 1	2003	1	\$22,322	\$0	\$3,684	\$26,006	
30	1	Mandan 1	2003	1	\$22,322	\$0	\$6,192	\$28,514	
30	1	Mandan 1	2003	1	\$22,322	\$397	\$10,047	\$32,766	
30	1	Mandan 1	2003	1	\$22,322	\$0	\$9,984	\$32,306	
30	1	Mandan 1	2003	1	\$22,323	\$5,504	\$10,862	\$38,689	
30	1	Mandan 1	2003	1	\$22,685	\$0	\$10,042	\$32,727	
30	1	Mandan 1	2003	1	\$22,834	\$0	\$10,065	\$32,899	
30	1	Mandan 1	2003	1	\$22,834	\$3,563	\$6,842	\$33,239	
30	1	Mandan 1	2003	1	\$22,834	\$3,717	\$10,659	\$37,210	
30	1	Mandan 1	2003	1	\$22,834	\$993	\$4,140	\$27,967	
30	1	Mandan 1	2003	1	\$22,834	\$596	\$10,161	\$33,591	
30	1	Mandan 1	2003	1	\$22,834	\$3,845	\$10,679	\$37,358	
30	1	Mandan 1	2003	1	\$22,834	\$0	\$6,273	\$29,107	
30	4	Little Heart 4	2003	1	\$20,500	\$0	\$3,178	\$23,678	1 3.00
30	4	Little Heart 4	2003	1	\$21,500	\$0	\$3,332	\$24,832	
30	7	New Salem 7	2003	1	\$21,000	\$0	\$7,351	\$28,351	1 29.62
30	7	New Salem 7	2003	1	\$21,410	\$1,155	\$8,747	\$31,312	
30	7	New Salem 7	2003	1	\$22,230	\$6,000	\$8,465	\$36,695	
30	7	New Salem 7	2003	1	\$22,230	\$0	\$7,541	\$29,771	
30	7	New Salem 7	2003	1	\$22,230	\$0	\$7,541	\$29,771	
30	7	New Salem 7	2003	1	\$22,980	\$0	\$7,656	\$30,636	
30	8	Sims 8	2003	1	\$21,148	\$0	\$7,257	\$28,405	1 5.45
30	17	Sweet Brlar 17	2003	1	\$22,860	\$0	\$1,772	\$24,632	1 1.03
30	39	Flasher 39	2003	1	\$21,250	\$0	\$7,101	\$28,351	1 20.78

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Yuberca d. Lee 10-16-03
Operator's Signature Date

Number of Full-time teachers only & Districts Impacted by **\$23,000** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

2003
FTE Impacted Districts
\$23,000

Line	County	District	District Name	Employment Year	Classified FTE	Base Salary	Other Salary	Benefits	Total Comp	2003	FTE
187	30	39	Flasher 39	2003	1	\$21,250	\$1,913	\$7,101	\$30,264		
188	30	30	Flasher 39	2003	1	\$21,940	\$1,075	\$7,229	\$30,244		
189	30	39	Flasher 39	2003	1	\$22,290	\$1,075	\$7,295	\$30,660		
190	30	39	Flasher 39	2003	1	\$22,740	\$1,075	\$7,381	\$31,196		
191	31	1	New Town 1	2003	1	\$21,700	\$4,199	\$6,973	\$32,872	1	69.38
192	31	1	New Town 1	2003	1	\$21,700	\$239	\$6,363	\$28,302		
193	31	1	New Town 1	2003	1	\$21,700	\$239	\$6,363	\$28,302		
194	31	1	New Town 1	2003	1	\$21,700	\$1,758	\$6,597	\$30,055		
195	31	1	New Town 1	2003	1	\$22,250	\$242	\$3,549	\$26,041		
196	31	1	New Town 1	2003	1	\$22,250	\$1,772	\$7,552	\$31,574		
197	31	1	New Town 1	2003	1	\$22,250	\$242	\$3,549	\$26,041		
198	31	1	New Town 1	2003	1	\$22,525	\$1,774	\$6,728	\$31,025		
199	31	1	New Town 1	2003	1	\$22,800	\$245	\$7,402	\$30,447		
200	31	2	Stanley 2	2003	1	\$22,000	\$2,828	\$8,624	\$33,452	1	35.10
201	31	3	Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517	1	28.00
202	31	3	Parshall 3	2003	1	\$21,450	\$0	\$6,067	\$27,517		
203	31	3	Parshall 3	2003	1	\$22,860	\$0	\$6,250	\$28,910		
204	31	137	Plaza 137	2003	1	\$20,450	\$0	\$4,536	\$24,986	1	3.60
205	32	1	Dakota Prairie 1	2003	1	\$22,387	\$4,500	\$7,204	\$34,091	1	31.34
206	32	66	Lakota 66	2003	1	\$22,750	\$1,107	\$5,374	\$29,231	1	25.51
207	32	66	Lakota 66	2003	1	\$22,750	\$2,387	\$5,571	\$30,708		
208	33	18	Center 18	2003	1	\$20,000	\$3,764	\$9,028	\$32,792	1	22.03
209	33	18	Center 18	2003	1	\$22,280	\$1,826	\$9,113	\$33,219		
210	34	6	Cavaller 6	2003	1	\$22,400	\$0	\$8,623	\$31,023	1	45.10
211	34	27	Walhalla 27	2003	1	\$22,500	\$2,200	\$4,977	\$29,677	1	28.17
212	34	27	Walhalla 27	2003	1	\$22,500	\$1,100	\$4,977	\$28,577		
213	34	43	St Thomas 43	2003	1	\$22,455	\$0	\$5,347	\$27,802	1	13.14
214	35	1	Wolford 1	2003	1	\$22,400	\$2,675	\$4,480	\$29,555	1	10.38
215	35	5	Rugby 5	2003	1	\$22,000	\$3,761	\$7,125	\$32,886	1	55.57
216	35	5	Rugby 5	2003	1	\$22,500	\$0	\$6,625	\$29,125		
217	36	1	Devils Lake 1	2003	1	\$20,250	\$3,139	\$8,634	\$32,023	1	134.14
218	36	1	Devils Lake 1	2003	1	\$20,250	\$0	\$7,866	\$28,116		
219	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
220	36	1	Devils Lake 1	2003	1	\$20,850	\$2,430	\$8,607	\$31,887		
221	36	1	Devils Lake 1	2003	1	\$20,850	\$1,215	\$8,310	\$30,375		
222	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
223	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
224	36	1	Devils Lake 1	2003	1	\$20,850	\$0	\$8,013	\$28,863		
225	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
226	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
227	36	1	Devils Lake 1	2003	1	\$21,450	\$3,291	\$8,964	\$33,705		
228	36	1	Devils Lake 1	2003	1	\$21,450	\$0	\$8,160	\$29,610		
229	36	1	Devils Lake 1	2003	1	\$22,050	\$0	\$8,306	\$30,356		
230	36	1	Devils Lake 1	2003	1	\$22,650	\$2,430	\$9,047	\$34,127		
231	36	1	Devils Lake 1	2003	1	\$22,650	\$0	\$8,453	\$31,103		
232	36	1	Devils Lake 1	2003	1	\$22,650	\$0	\$8,453	\$31,103		
233	36	1	Devils Lake 1	2003	1	\$22,982	\$0	\$8,534	\$31,516		
234	36	44	Starkweather 44	2003	1	\$22,500	\$0	\$5,897	\$28,397	1	10.60
235	36	44	Starkweather 44	2003	1	\$22,900	\$0	\$5,959	\$28,859		
236	37	2	Sheldon 2	2003	1	\$20,500	\$594	\$6,365	\$27,459	1	4.09
237	37	19	Lisbon 19	2003	1	\$22,950	\$0	\$9,686	\$32,636	1	48.00
238	37	19	Lisbon 19	2003	1	\$22,950	\$3,179	\$10,464	\$36,593		
239	38	9	Mohall 9	2003	1	\$21,800	\$2,610	\$6,174	\$30,584	1	25.01
240	38	9	Mohall 9	2003	1	\$22,000	\$1,510	\$3,621	\$27,131		
241	38	9	Mohall 9	2003	1	\$22,675	\$8,440	\$2,411	\$33,526		
242	39	18	Falmount 18	2003	1	\$21,400	\$4,327	\$8,836	\$34,563	1	12.70
243	39	28	Lidgerwood 28	2003	1	\$20,977	\$1,071	\$6,642	\$28,690	1	19.93
244	39	28	Lidgerwood 28	2003	1	\$22,885	\$2,084	\$7,130	\$32,079		
245	39	28	Lidgerwood 28	2003	1	\$22,942	\$1,803	\$7,095	\$31,840		
246	39	37	Wahpeton 37	2003	1	\$20,100	\$3,668	\$9,018	\$32,786	1	102.85
247	39	37	Wahpeton 37	2003	1	\$20,436	\$3,647	\$12,497	\$36,580		
248	39	37	Wahpeton 37	2003	1	\$20,436	\$7,576	\$10,073	\$38,085		



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Yubereva J. Joo
Operator's Signature

10-16-03
Date

Number of Full-time teachers only & Districts Impacted by **\$23,000** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

FTE Impacted in District **\$23,000**

County	District	District Name	School Year	Classed FTE	Base Salary	Other Salary	Benefits	Total Comp	FTE
39	37	Wahpeton 37	2003	1	\$21,127	\$3,384	\$12,604	\$37,115	
39	37	Wahpeton 37	2003	1	\$21,127	\$2,221	\$12,315	\$35,663	
39	37	Wahpeton 37	2003	1	\$21,201	\$1,678	\$8,807	\$31,683	
39	37	Wahpeton 37	2003	1	\$21,821	\$2,814	\$12,631	\$37,266	
39	37	Wahpeton 37	2003	1	\$22,512	\$5,226	\$11,511	\$39,249	
39	44	Richland 44	2003	1	\$20,500	\$0	\$3,704	\$24,204	1 24.63
39	44	Richland 44	2003	1	\$20,570	\$1,846	\$8,521	\$30,936	
39	44	Richland 44	2003	1	\$21,135	\$2,460	\$8,809	\$32,404	
39	44	Richland 44	2003	1	\$21,135	\$1,840	\$8,609	\$31,384	
39	44	Richland 44	2003	1	\$21,685	\$0	\$5,638	\$27,123	
40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622	1 33.17
40	4	Mt Pleasant 4	2003	1	\$21,100	\$1,750	\$6,244	\$29,094	
40	4	Mt Pleasant 4	2003	1	\$21,100	\$475	\$6,047	\$27,622	
40	4	Mt Pleasant 4	2003	1	\$21,510	\$850	\$6,168	\$28,528	
41	2	Milnor 2	2003	1	\$22,000	\$0	\$8,214	\$30,214	1 21.34
41	2	Milnor 2	2003	1	\$22,350	\$900	\$8,520	\$31,770	
41	2	Milnor 2	2003	1	\$22,350	\$200	\$8,349	\$30,899	
41	2	Milnor 2	2003	1	\$22,700	\$2,700	\$9,045	\$34,445	
41	2	Milnor 2	2003	1	\$22,700	\$3,610	\$7,388	\$33,698	
41	3	N Sargent 3	2003	1	\$22,400	\$1,465	\$3,240	\$27,105	1 18.50
42	16	Goodrich 16	2003	1	\$21,750	\$0	\$5,860	\$27,610	1 9.01
42	19	McClusky 19	2003	1	\$21,465	\$8,775	\$9,640	\$39,880	1 14.68
43	3	Solen 3	2003	1	\$21,350	\$0	\$9,822	\$31,172	1 26.00
43	3	Solen 3	2003	1	\$22,900	\$0	\$10,168	\$33,068	
44	12	Marmarth 12	2003	1	\$21,090	\$0	\$4,881	\$25,971	1 2.32
44	14	Sheets 14	2003	1	\$20,007	\$1,202	\$3,266	\$24,475	1 1.07
44	32	Central Elem 32	2003	1	\$20,000	\$810	\$5,089	\$25,899	1 2.23
45	1	Dickinson 1	2003	1	\$20,300	\$0	\$5,229	\$25,529	1 215.42
45	1	Dickinson 1	2003	1	\$21,092	\$1,898	\$5,648	\$28,638	
45	1	Dickinson 1	2003	1	\$21,092	\$0	\$8,248	\$29,340	
45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358	
45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358	
45	1	Dickinson 1	2003	1	\$21,883	\$0	\$8,371	\$30,254	
45	1	Dickinson 1	2003	1	\$21,883	\$0	\$5,475	\$27,358	
45	1	Dickinson 1	2003	1	\$22,086	\$0	\$8,403	\$30,489	
45	1	Dickinson 1	2003	1	\$22,878	\$0	\$3,657	\$26,535	
45	1	Dickinson 1	2003	1	\$22,878	\$0	\$5,830	\$28,508	
45	1	Dickinson 1	2003	1	\$22,878	\$1,969	\$3,964	\$28,811	
45	1	Dickinson 1	2003	1	\$22,878	\$0	\$8,526	\$31,404	
45	1	Dickinson 1	2003	1	\$22,878	\$2,109	\$3,986	\$28,973	
45	13	Belfield 13	2003	1	\$20,000	\$926	\$6,275	\$27,201	1 23.80
45	13	Belfield 13	2003	1	\$22,000	\$0	\$6,440	\$28,440	
45	34	Richardton-Taylor 34	2003	1	\$21,010	\$0	\$9,213	\$30,223	1 28.23
45	34	Richardton-Taylor 34	2003	1	\$22,509	\$1,304	\$10,251	\$34,064	
46	10	Hope 10	2003	1	\$22,025	\$1,925	\$9,456	\$33,406	1 12.50
46	19	Finley-Sharon 19	2003	1	\$22,550	\$2,525	\$9,291	\$34,366	1 19.36
47	3	Medina 3	2003	1	\$22,425	\$0	\$5,227	\$27,652	1 18.30
47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$50	\$6,291	\$27,691	1 15.15
47	10	Pingree-Buchanan 10	2003	1	\$21,350	\$2,800	\$6,714	\$30,864	
47	10	Pingree-Buchanan 10	2003	1	\$21,700	\$400	\$6,398	\$28,498	
47	14	Montpeller 14	2003	1	\$20,000	\$1,550	\$5,904	\$27,454	1 15.62
47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627	
47	14	Montpeller 14	2003	1	\$20,325	\$1,375	\$5,927	\$27,627	
47	14	Montpeller 14	2003	1	\$21,300	\$1,375	\$6,077	\$28,752	
47	14	Montpeller 14	2003	1	\$22,788	\$1,375	\$3,883	\$28,027	
47	14	Montpeller 14	2003	1	\$22,788	\$1,728	\$6,360	\$30,874	
47	19	Kensal 19	2003	1	\$20,800	\$985	\$7,049	\$28,834	1 9.65
47	19	Kensal 19	2003	1	\$22,400	\$0	\$3,533	\$25,933	
48	2	Bisbee-Egeland 2	2003	1	\$22,000	\$3,200	\$6,823	\$32,023	1 13.50
48	2	Bisbee-Egeland 2	2003	1	\$22,350	\$0	\$6,385	\$28,735	
48	8	Southern 8	2003	1	\$21,500	\$1,700	\$6,636	\$29,836	1 23.83
48	28	N Central 28	2003	1	\$21,750	\$1,383	\$6,030	\$29,163	1 9.87

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Yubereca J. Lee 10-16-03
Operator's Signature Date

Number of Full-time teachers only & Districts Impacted by **\$23,000** Base Salary (these are 2002-2003 Paid Salaries from the 2003 Teacher Compensation Reimbursement Claim filed by districts) Excludes Jamestown

\$23,000

County	District	District Name	School Year	Classified FTE	Base Salary	Other Salary	Benefits	Total Comp	FTE Impacted in District
48	28	N Central 28	2003	1	\$22,550	\$2,729	\$6,360	\$31,639	
49	3	Central Valley 3	2003	1	\$22,350	\$120	\$8,862	\$31,332	21.43
49	3	Central Valley 3	2003	1	\$22,350	\$2,804	\$9,494	\$34,648	
49	7	Halton 7	2003	1	\$21,800	\$1,850	\$9,196	\$32,846	19.94
49	14	May-Port CG 14	2003	1	\$22,837	\$4,622	\$7,095	\$34,554	41.45
50	3	Grafton 3	2003	1	\$22,250	\$0	\$6,677	\$28,927	52.64
50	3	Grafton 3	2003	1	\$22,250	\$0	\$6,367	\$28,617	
50	3	Grafton 3	2003	1	\$22,250	\$2,136	\$6,696	\$31,082	
50	20	Minto 20	2003	1	\$22,775	\$1,200	\$7,661	\$31,636	19.50
50	39	Lanolin 39	2003	1	\$21,720	\$111	\$3,486	\$25,317	6.75
50	51	Nash 51	2003	1	\$22,500	\$0	\$3,465	\$25,965	3.00
50	78	Park River 78	2003	1	\$22,450	\$819	\$3,796	\$27,065	29.89
50	79	Fordville 79	2003	1	\$21,794	\$0	\$4,005	\$25,799	8.50
51	1	Mlnot 1	2003	1	\$22,356	\$0	\$7,166	\$29,522	559.48
51	1	Mlnot 1	2003	1	\$22,564	\$0	\$9,616	\$32,180	
51	7	United 7	2003	1	\$22,100	\$0	\$3,404	\$25,504	49.00
51	7	United 7	2003	1	\$22,100	\$3,400	\$6,394	\$31,894	
51	7	United 7	2003	1	\$22,300	\$0	\$3,435	\$25,735	
51	7	United 7	2003	1	\$22,700	\$0	\$6,539	\$29,239	
51	10	Bell 10	2003	1	\$22,500	\$0	\$6,249	\$28,749	12.25
51	16	Sawyer 16	2003	1	\$21,000	\$2,865	\$2,250	\$26,115	18.41
51	16	Sawyer 16	2003	1	\$21,480	\$0	\$2,250	\$23,730	
51	16	Sawyer 16	2003	1	\$21,480	\$2,675	\$2,250	\$26,405	
51	16	Sawyer 16	2003	1	\$21,980	\$1,780	\$2,250	\$26,010	
51	19	Eureka 19	2003	1	\$20,000	\$300	\$5,980	\$26,280	1.96
51	41	Surrey 41	2003	1	\$21,900	\$1,260	\$7,663	\$30,823	33.54
51	41	Surrey 41	2003	1	\$22,350	\$0	\$7,465	\$29,815	
51	41	Surrey 41	2003	1	\$22,400	\$1,150	\$7,758	\$31,308	
51	41	Surrey 41	2003	1	\$22,850	\$0	\$7,587	\$30,437	
51	41	Surrey 41	2003	1	\$22,900	\$2,000	\$8,089	\$32,989	
51	54	Berthold 54	2003	1	\$20,650	\$455	\$5,985	\$27,090	23.40
51	54	Berthold 54	2003	1	\$20,650	\$3,188	\$6,420	\$30,258	
51	54	Berthold 54	2003	1	\$20,950	\$1,410	\$6,926	\$29,286	
51	54	Berthold 54	2003	1	\$21,850	\$2,616	\$6,521	\$30,987	
51	70	S Prairie 70	2003	1	\$21,800	\$0	\$6,323	\$28,123	12.20
51	70	S Prairie 70	2003	1	\$22,600	\$0	\$6,457	\$29,057	
51	158	N Shore 158	2003	1	\$20,000	\$600	\$8,037	\$28,637	16.14
51	158	N Shore 158	2003	1	\$20,000	\$1,600	\$8,281	\$29,881	
51	158	N Shore 158	2003	1	\$20,900	\$3,450	\$8,954	\$33,304	
51	158	N Shore 158	2003	1	\$21,850	\$2,855	\$9,041	\$33,746	
52	25	Fessenden-Bowdon 25	2003	1	\$21,550	\$1,743	\$8,796	\$32,089	23.64
52	25	Fessenden-Bowdon 25	2003	1	\$22,100	\$2,310	\$9,068	\$33,478	
52	35	Pleasant Valley 35	2003	1	\$21,200	\$0	\$3,520	\$24,720	3.00
52	38	Harvey 38	2003	1	\$22,730	\$4,563	\$9,893	\$37,186	43.57
52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	10.05
52	39	Sykes 39	2003	1	\$20,000	\$0	\$4,455	\$24,455	
52	39	Sykes 39	2003	1	\$20,000	\$1,750	\$4,602	\$26,352	
53	1	Williston 1	2003	1	\$21,860	\$0	\$7,144	\$29,004	159.05
53	1	Williston 1	2003	1	\$22,320	\$3,280	\$8,059	\$33,659	
53	2	Nesson 2	2003	1	\$21,900	\$0	\$4,928	\$26,828	18.68
53	2	Nesson 2	2003	1	\$21,900	\$0	\$4,928	\$26,828	

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Yubereca d. Lee 10-16-03
Operator's Signature Date

attach A
4/14/03

NEW SUPPLEMENTAL PAYMENT FORMULA:

District taxable valuation

MULTIPLIED BY

District general fund mill levy rate

ADD this total with:

All county, state and unrestricted federal revenue

All tuition apportionment payments received by the district

DIVIDE the total by the total average daily number of students enrolled in the **district**

The result is the **district average revenue per student.**

If school **district** has a general fund levy of at least 180 mills

AND

Has an average revenue per student below the **state** average revenue per student, **the district qualifies for supplemental payments.**

The supplemental payment is determined as follows:

Statewide average revenue per student

DIVIDED BY

District average revenue per student

The result of this division is then multiplied by the total average daily number of students enrolled in the district

The result of this multiplication is prorated in relation to the total biennial appropriation for supplemental payments.

The formula is written as follows:

Given that A = Statewide average revenue / student

AND that B = District average revenue / student

AND that C = The total number of average daily students enrolled in the district

$$\left(\frac{A}{B}\right) C$$

= supplemental payment, prorated in relation to the total biennial appropriation for supplemental payments.

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Yuberca d. Lee
Operator's Signature

10-16-03
Date

Attach. B
4-14-03

OLD SUPPLEMENTAL PAYMENT FORMULA:

Latest available **district** net assessed and equalized taxable valuation per student
DIVIDED BY
Average daily number of students (1-12) enrolled in HS **district**
EQUALS
Average **district** valuation of property per student

IF the result is LESS THAN
Latest available **statewide** average taxable valuation per student
AND
IF the **district's** educational expenditure per student is LESS THAN
The **statewide** average cost of education per student,
THEN the Supt of DPI shall determine the supplemental payment.

The supplemental payment is determined as follows:

Statewide average taxable valuation per student
LESS
District average taxable valuation per student (high school districts only)

The result of this difference is then multiplied by the number of students in the high school district, (1-12).

The result of this multiplication is then multiplied by the number of district general fund mills levied, if between 151 and 210 mills.

The result of this multiplication is then multiplied by 30%.

This result of this multiplication is the supplemental payment.

The formula is written as follows:

Given that A = the difference between statewide tax value/pupil and district tax value/pupil
AND that B = the number of students (1-12) enrolled in a high school district
AND that C = the number of district general fund mills, no less than 150 and not exceeding 210

$$A \times B \times C \times 30\% = \text{supplemental payment}$$

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

4/15/03
 on year

45 districts affected

County/ District Number	School District Name	Enroll Grades K-12	Census Ages 6-17	Taxable Valuation	TAXVAL	18	19	20	21	22	GF Levy 3	Current Levy Generated	Milt Levy 145	Recapture
		DENK12	CENSUS	TAXVAL	TAXVAL	TAXVAL	TAXVAL	GFLEVY	HSTUIT	HSTRAN				
1	2													
1013	Hettinger 13	364	369	6,109,358	6,109,358	16,557	152.72	152.72	9.91	-	163	993,565	885,857	-
2002	Valley City 2	1,211	1,123	13,714,871	13,714,871	12,213	185.00	185.00	4.01	-	189	2,592,248	1,988,656	-
2013	Oriska 13	88	86	1,984,888	1,984,888	23,080	10.08	10.08	-	-	10	20,008	287,809	267,801
2052	Litchville 52	89	139	3,334,226	3,334,226	24,851	112.05	112.05	-	-	112	387,046	500,853	113,817
2065	N Central 65	158	172	5,894,315	5,894,315	34,269	123.85	123.85	-	-	124	730,011	854,676	124,665
2082	Wimbledon-Courten	163	156	5,459,446	5,459,446	34,996	135.54	135.54	-	-	136	739,973	791,620	51,646
3005	Minnewaukan 5	117	90	1,407,419	1,407,419	15,638	181.21	181.21	9.60	-	191	268,550	204,076	-
3006	Leeds 6	188	176	4,243,950	4,243,950	24,113	168.48	168.48	-	-	168	715,021	615,373	-
3009	Maddock 9	228	210	3,965,702	3,965,702	18,408	164.94	164.94	-	-	165	637,609	560,527	-
3016	Oberon 16	50	28	947,518	947,518	33,840	100.58	100.58	27.43	-	128	121,292	137,390	16,098
3029	Warwick 29	203	313	1,096,094	1,096,094	3,502	144.15	144.15	-	-	144	158,002	158,934	932
3030	Ft Totten 30	185	458	95,402	95,402	208	185.00	185.00	133.12	-	318	30,349	13,833	-
4001	Billings Co 1	73	167	4,866,642	4,866,642	29,142	38.12	38.12	-	-	38	185,516	705,663	520,147
5001	Botineau 1	797	705	8,066,484	8,066,484	11,442	178.02	178.02	-	-	178	1,435,995	1,169,640	-
5013	Willow City 13	52	84	1,884,279	1,884,279	22,432	174.60	174.60	-	-	175	328,995	273,220	-
5017	Westhope 17	151	154	3,520,991	3,520,991	22,964	149.22	149.22	-	-	149	525,402	510,544	-
5035	Lansford 35	32	94	1,729,656	1,729,656	18,401	79.16	79.16	108.50	-	188	324,587	250,800	-
5054	Newburg-United 54	79	113	4,915,109	4,915,109	43,497	127.51	127.51	0.83	-	128	630,805	712,691	81,886
6001	Bowman 1	425	384	4,553,708	4,553,708	11,859	151.52	151.52	-	-	152	689,978	660,288	-
6017	Rhame 17	80	72	2,080,239	2,080,239	28,892	130.27	130.27	-	-	130	270,993	301,635	30,642
6033	Scranton 33	176	159	3,444,351	3,444,351	21,663	162.38	162.38	-	-	162	559,294	499,431	-
7014	Bowbells 14	102	104	2,890,100	2,890,100	27,789	156.40	156.40	-	-	156	452,012	419,065	-
7027	Powers Lake 27	118	128	2,028,286	2,028,286	15,846	185.00	185.00	-	-	185	375,233	294,101	-
7036	Burke Central 36	108	101	3,390,806	3,390,806	33,572	120.92	120.92	-	-	121	410,016	491,667	81,651
8001	Bismarck 1	10,399	10,494	126,161,449	126,161,449	12,024	236.64	236.64	-	-	237	29,859,578	18,296,310	-
8002	Regan 2	9	25	716,339	716,339	21,654	76.78	76.78	-	-	77	55,001	103,869	48,869
8025	Naughton 25	5	16	230,269	230,269	14,392	175.10	175.10	13.03	-	188	43,321	33,389	-
8028	Wing 28	77	57	1,930,798	1,930,798	33,874	139.84	139.84	-	-	140	270,003	279,966	9,963
8029	Baldwin 29	22	49	646,819	646,819	13,200	151.95	151.95	-	-	152	98,284	93,789	-
8033	Menoken 33	21	71	1,116,493	1,116,493	15,725	161.77	161.77	44.78	-	207	230,612	161,891	-
8034	McKenzie Co 1													
8035	Sterling 35	43	72	1,896,065	1,896,065	26,335	128.78	128.78	14.24	-	157	298,178	274,932	-
8039	Apple Creek 39	49	124	1,521,837	1,521,837	12,273	96.60	96.60	166.00	-	263	399,634	220,666	-
8045	Manning 45	4	34	181,683	181,683	5,344	176.12	176.12	99.07	-	275	50,000	26,345	-
9001	Fargo 1	11,095	11,700	165,880,299	165,880,299	14,159	291.80	291.80	-	-	292	48,339,675	24,020,743	-
9002	Kindred 2	712	693	10,124,617	10,124,617	14,610	171.29	171.29	-	-	171	1,734,246	1,468,069	-

4/10/2003 Minimum Levy Rec

7

Public Instruction

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Operator's Signature: Yherosa J. Lee Date: 10-16-03

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	Recapture
1	2	9	17	18	19	20	21	22	GF Levy 3	Current Levy Generated	Min Levy	Recapture
9004	Maple Valley 4	199	232	6,372,897	27,469	136.52	-	-	137	870,028	924,070	54,042
9006	West Fargo 6	5,207	4,771	75,502,025	15,825	185.00	3.82	-	189	14,256,292	10,947,794	-
9007	Mapleton 7	105	216	2,610,721	12,687	140.09	114.78	-	255	665,394	378,555	-
9017	Central Cass 17	841	723	10,920,544	15,104	169.49	-	-	169	1,850,923	1,583,479	-
9080	Page 80	129	117	3,446,015	29,453	169.04	-	-	169	582,514	499,672	-
9097	Northern Cass	457	442	9,807,376	11,293	173.86	-	-	174	1,705,110	1,422,070	-
10014	Border Central 14	33	37	3,149,782	85,129	167.20	-	-	167	526,644	456,718	-
10019	Munich 19	126	136	3,195,645	23,497	139.48	-	-	139	445,729	463,369	-
10023	Langdon Area 23	548	644	12,120,769	18,821	149.48	-	-	149	1,811,813	1,757,512	-
11040	Ellendale 40	374	463	6,132,397	13,288	164.57	-	-	165	1,012,500	892,098	-
11041	Oakes 41	519	501	7,320,614	14,612	185.00	1.00	-	186	1,361,634	1,061,489	-
12001	Divide County 1	302	306	6,805,800	22,241	140.76	-	-	141	957,984	986,841	-
13008	Dodge 8	47	36	629,167	17,477	185.00	-	-	185	116,396	91,229	-
13016	Killdeer 16	365	355	7,132,108	20,090	148.25	-	-	148	1,057,335	1,034,156	-
13019	Halliday 19	79	77	1,978,472	25,694	161.68	-	-	162	319,879	286,878	-
13037	Twin Buttes 37	46	72	23,908	332	-	-	-	-	-	3,467	3,467
14001	New Rockford 1	397	343	5,319,311	15,508	180.76	-	-	181	961,519	771,300	-
14012	Shenandoah 12	115	92	1,528,580	15,615	157.01	-	-	157	240,002	221,644	-
15006	Hazleton-Morfit-Brac	142	153	3,695,447	24,153	156.95	-	-	157	580,000	535,840	-
15010	Bakker 10	8	34	613,544	18,045	85.78	22.88	-	109	66,668	88,964	-
15012	Union 12	5	19	579,313	30,490	69.04	22.14	-	91	52,822	84,000	-
15015	Strasburg 15	207	190	2,866,318	15,086	127.34	-	-	127	364,997	415,616	-
15035	Linton 36	377	364	5,266,430	14,468	163.72	-	-	164	862,220	763,632	-
16010	Carrington 10	651	627	10,054,866	16,036	161.42	-	-	161	1,623,056	1,457,956	-
17003	Beach 3	341	279	4,012,404	14,381	173.21	-	-	173	694,988	581,799	-
17006	Lone Tree 6	51	65	1,348,544	20,747	114.94	60.81	-	176	237,007	195,539	-
18001	Grand Forks 1	8,008	7,361	90,991,880	12,361	225.51	-	-	226	20,519,579	13,193,823	-
18044	Lanmore 44	573	555	6,634,685	11,954	185.00	-	-	185	1,227,417	962,029	-
18061	Thompson 61	481	517	4,829,527	9,341	160.99	-	-	161	777,506	700,281	-
18125	Manvel 125	176	306	3,271,085	10,690	82.02	101.24	12.12	195	639,105	474,307	-
18127	Emerado 127	98	173	1,969,585	10,807	136.94	68.47	8.22	214	399,399	271,090	-
18128	Midway 128	323	328	5,576,582	17,002	176.20	-	-	176	982,554	808,604	-
18129	Northwood 129	315	363	5,260,190	14,491	154.37	-	-	154	812,016	762,728	-
18140	Grand Forks AFB 1	-	1,032	-	-	-	-	-	-	-	-	-
19018	Roosevelt 18	124	146	2,196,652	15,039	184.95	6.69	-	192	420,775	318,370	-
19049	Elgin-New Leipzig 4	244	221	4,153,128	18,792	198.54	-	-	199	824,562	602,204	-

Department of Public Instruction

4/10/2003 Minimum Levy Re

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Yuberca d. Lee

10-16-03

Operator's Signature

Date

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10-16-03
Date

County/ District Number	School District Name	Enroll Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H.S. Tuition Levy	H.S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	Recapture
1	2	9	17	18	19	20	21	22	GF	Current Levy	145	Recapture
		DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	Levy 3	Generated	Min Levy	Recapture
20007	Midkota 7	168	201	5,550,888	27,616	187.14	-	-	187	1,038,793	804,879	-
20018	Griggs County Cent	341	309	5,814,268	18,816	218.80	-	-	219	1,272,162	843,069	-
21001	Mott-Regent 1	294	298	6,574,770	22,063	140.00	-	-	140	920,468	953,342	32,874
21009	New England 9	199	206	4,773,429	23,172	146.65	-	-	147	700,023	692,147	-
22011	Petibone-Turtle 11	18	37	1,097,943	29,674	147.43	-	-	147	161,870	159,202	-
22014	Robinson 14	10	31	1,148,135	37,037	167.23	13.07	-	180	207,009	166,480	-
22020	Tuttle-Petibone 20	58	42	1,292,702	30,779	163.48	-	-	163	211,331	187,442	-
22026	Steele-Dawson 26	274	204	3,951,225	19,369	160.71	-	-	161	635,001	572,928	-
22028	Tappen 28	110	117	1,592,641	13,612	185.00	-	-	185	294,639	230,933	-
23003	Edgeley 3	260	263	5,424,690	20,626	148.40	-	-	148	805,024	786,580	-
23007	Kulm 7	131	136	4,372,709	32,152	143.52	-	-	144	627,571	634,043	6,472
23008	LaMoure 8	363	346	4,916,920	14,211	156.60	-	-	157	769,990	712,953	-
23009	Marion 9	108	95	2,649,469	27,889	125.61	-	-	126	332,800	384,173	51,373
23011	Verona 11	50	68	1,997,777	29,379	172.69	-	-	173	344,996	289,678	-
24002	Napoleon 2	244	245	3,816,504	15,578	166.38	-	-	166	634,990	553,393	-
24056	Gackle 14	153	169	4,542,394	26,878	121.08	-	-	121	549,993	658,647	108,654
25001	Velva 1	454	361	5,288,239	14,649	137.10	-	-	137	725,018	766,795	41,777
25014	Anamoose 14	83	81	1,852,071	22,865	153.61	-	-	154	284,497	268,550	-
25057	Drake 57	141	134	3,290,243	24,554	143.45	0.98	-	144	475,210	477,085	1,875
25060	TGU 60	373	370	9,729,993	26,297	122.92	-	-	123	1,196,011	1,410,849	214,838
26004	Zeeland 4	60	62	2,631,444	42,443	114.01	-	-	114	300,011	381,559	81,548
26009	Ashley 9	185	179	3,730,752	20,842	152.44	1.93	-	154	575,916	540,959	-
26019	Wishek 19	266	253	3,953,082	15,625	169.79	-	-	170	671,194	573,197	-
27001	McKenzie Co 1	617	661	9,577,054	14,489	144.40	-	-	144	1,382,927	1,388,673	5,746
27002	Alexander 2	80	79	2,772,410	35,094	133.46	-	-	133	370,006	401,999	31,994
27014	Yellowstone 14	54	88	1,478,598	16,802	131.51	39.66	2.50	174	256,788	214,397	-
27018	Earl 18	7	13	467,053	35,927	-	-	-	-	-	67,723	67,723
27019	Bowline Butte 19	6	11	441,274	40,116	79.32	15.86	13.60	109	48,002	63,985	15,983
27032	Horse Creek 32	10	13	1,162,210	89,401	27.55	22.37	-	50	58,018	168,520	110,503
27036	Mandaree 36	190	264	71,954	273	97.28	-	-	97	7,000	10,433	3,434
28001	Montefiore 1	218	216	2,468,865	11,430	178.22	-	-	178	440,001	357,985	-
28004	Washburn 4	375	371	4,039,836	10,889	134.29	-	-	134	542,510	585,776	43,267
28008	Underwood 8	230	258	4,322,466	16,754	168.89	8.33	-	177	766,027	626,758	-
28050	Max 50	179	147	2,736,630	18,617	150.00	-	-	150	410,495	396,811	-
28051	Garrison 51	369	324	6,050,409	18,674	180.78	-	-	181	1,093,793	877,309	-
28072	Turtle Lake-Mercer	200	199	3,889,404	19,545	135.18	-	-	135	525,770	563,964	38,194

Department of Public Instruction
4/10/2003 Minimum Levy Recapture

County/ District Number	School District Name	Enroll. Grades K - 12	Census Ages 6 - 17	Taxable Valuation	TAXVAL	TAXVALPP Pupā	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Generated	Min Levy	Recapture
1	2	9	17	16	19	20	21	22	20	21	22	145	145
Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GFLEVY	HSTUIT	HSTRAN	Min Levy	Recapture
28085	White Shield 85	145	123	260,573	2,118	184.21	-	-	184	-	-	37,783	-
29003	Hazen 3	769	736	5,291,078	7,189	182.38	-	-	182	-	-	767,206	-
29020	Golden Valley 20	55	65	1,202,614	18,502	112.26	-	-	112	-	-	174,379	39,374
29022	Stanton 22	87	99	983,845	9,938	216.29	-	-	216	-	-	142,658	-
29027	Beulah 27	915	948	9,497,146	10,018	185.00	-	-	185	-	-	1,377,086	-
30001	Mandan 1	3,351	3,704	34,925,429	9,429	167.48	-	-	167	-	-	5,064,187	-
30004	Little Heart 4	32	38	833,238	21,927	74.41	42.00	6.72	123	42.00	6.72	120,820	18,223
30007	New Salem 7	354	331	3,742,194	11,306	165.28	-	-	165	-	-	542,618	-
30008	Sims 8	39	58	1,521,783	26,238	119.60	42.06	15.11	177	42.06	15.11	220,659	-
30013	Hebron 13	171	179	3,701,112	20,677	141.85	-	-	142	-	-	536,661	11,559
30017	Sweet Briar 17	12	17	337,914	19,877	41.43	17.76	-	59	17.76	-	48,998	28,996
30039	Flasher 39	231	206	3,077,748	14,941	180.33	-	-	180	-	-	446,273	-
30048	Glen Ullin 48	210	213	4,009,338	18,823	145.65	-	-	146	-	-	583,960	-
31001	New Town 1	761	770	2,466,037	3,203	171.33	-	-	171	-	-	357,575	-
31002	Stanley 2	376	359	5,734,864	15,975	181.54	-	-	182	-	-	831,555	-
31003	Parshall 3	302	336	3,255,892	9,690	178.25	-	-	178	-	-	472,104	-
31137	Plaza 137	26	57	1,812,672	31,801	206.54	-	-	207	-	-	262,837	-
32001	Dakota Prairie 1	324	434	9,374,272	21,600	184.34	-	-	184	-	-	1,359,269	-
32066	Lakota 66	264	191	4,445,369	23,274	185.00	-	-	185	-	-	644,579	-
33018	Center 18	248	291	3,714,098	12,763	170.00	-	-	170	-	-	538,544	-
34001	Pembina 1	149	157	3,901,182	24,848	173.12	1.62	-	175	1.62	-	565,671	-
34006	Cavalier 6	555	514	8,038,563	15,639	185.00	-	-	185	-	-	1,165,592	-
34012	Valley 12	158	153	3,572,513	23,350	185.00	13.59	-	189	13.59	-	518,014	-
34019	Drayton 19	209	223	5,516,701	24,739	179.75	-	-	180	-	-	799,922	-
34027	Walthalla 27	314	281	4,625,163	16,460	201.01	-	-	201	-	-	670,649	-
34043	St Thomas 43	141	144	2,988,946	20,757	185.00	16.73	1.67	203	16.73	1.67	433,397	-
34055	Neche 55	102	136	3,439,804	25,293	184.53	7.98	-	193	7.98	-	498,772	-
35001	Wolford 1	60	57	1,602,653	28,117	176.65	-	-	177	-	-	232,385	-
35005	Rugby 5	605	720	9,993,864	13,880	183.86	-	-	184	-	-	1,449,110	-
36001	Devils Lake 1	1,906	2,342	16,240,206	6,934	187.41	-	-	187	-	-	3,043,577	-
36002	Edmore 2	101	97	4,478,700	46,172	135.53	-	-	136	-	-	606,998	42,413
36044	Starkweather 44	113	105	2,670,626	25,435	153.67	-	-	154	-	-	387,241	-
37002	Sheldon 2	40	97	1,419,232	14,631	173.33	35.30	-	209	35.30	-	205,789	-
37006	Ft Ransom 6	20	40	825,254	20,631	168.14	10.01	-	178	10.01	-	119,662	-
37010	Satund 10	-	12	125,703	10,475	71.60	119.33	-	191	119.33	-	18,227	-
37019	Lisbon 19	662	576	8,180,251	14,202	181.78	-	-	182	-	-	1,487,006	-

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Department Public Instruction

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	Recapture
1	2	9	17	18	19	20	21	22	GF	Current Levy	145	
Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	Levy 3	Generated	Min Levy	Recapture
37022	Enderlin 22	339	300	5,528,626	18,429	179.07	-	-	179	990,011	801,551	-
38002	Sherwood 2	106	111	3,107,788	27,998	149.30	-	-	149	463,993	450,629	-
38009	Mohall 9	248	224	5,186,884	23,156	128.19	-	-	128	664,907	752,098	87,192
38026	Glenburn 26	302	190	3,435,076	18,079	114.84	-	-	115	394,484	498,086	103,602
39005	Mantador 5	11	42	1,357,137	32,313	105.00	35.64	-	141	190,868	196,785	5,917
39008	Hankinson 8	328	279	4,887,194	17,517	185.00	-	-	185	904,131	708,643	-
39018	Fairmount 18	126	118	4,033,122	34,179	156.97	-	-	157	633,079	584,803	-
39028	Lidgerwood 28	236	227	3,479,463	15,328	185.00	-	-	185	643,701	504,522	-
39037	Watpeton 37	1,519	1,560	17,750,889	11,379	185.00	1.34	-	186	3,307,701	2,573,879	-
39042	Wyndmere 42	280	287	6,017,348	20,966	196.31	-	-	196	1,181,266	872,515	-
39044	Richland 44	309	290	4,921,816	16,972	182.71	-	-	183	659,255	713,653	-
40001	Dunseith 1	523	889	1,428,659	1,607	146.99	8.97	-	156	222,814	207,156	-
40003	St John 3	294	501	701,465	1,400	171.07	-	-	171	120,000	101,712	-
40004	Mt Pleasant 4	331	311	3,859,780	12,411	176.25	2.70	-	179	690,708	559,668	-
40007	Belcourt 7	1,763	2,156	295,179	137	-	-	-	-	-	42,801	-
40029	Rolette 29	192	223	2,796,854	12,542	175.91	-	-	176	491,995	405,544	-
41002	Minor 2	294	309	3,321,466	10,749	152.94	-	-	153	507,985	481,613	-
41003	N Sargent 3	198	181	2,779,702	15,357	184.19	3.60	-	188	522,000	403,057	-
41006	Sargent Central 6	321	305	6,602,174	21,646	165.43	-	-	165	1,092,198	957,315	-
42016	Goodrich 16	55	55	1,689,408	30,717	185.00	2.08	-	187	316,054	244,964	-
42019	McClusky 19	113	122	2,402,359	19,691	172.71	-	-	173	414,911	348,342	-
43003	Solen 3	153	317	1,398,113	4,410	175.50	-	-	176	245,369	202,726	-
43004	Ft Yates 4	136	-	471,671	#DIV/0!	180.21	-	-	180	85,000	68,392	-
43008	Selfridge 8	58	95	1,302,659	13,712	116.27	-	-	116	151,460	188,886	37,425
44012	Marathon 12	10	26	957,303	36,819	34.47	31.34	-	66	63,000	138,809	75,809
44014	Sheets 14	6	13	396,992	30,538	85.64	7.03	5.04	98	38,790	57,564	18,774
44032	Central Elementary	11	37	1,402,155	37,896	24.25	39.23	9.98	73	103,002	203,312	100,310
45001	Dickinson 1	2,717	3,349	27,273,398	8,144	176.51	-	-	177	4,814,027	3,954,643	-
45009	South Heart 9	257	283	2,606,437	9,210	144.49	-	-	144	376,604	377,933	1,329
45013	Beilfield 13	258	234	1,530,901	6,542	154.81	-	-	155	236,999	221,981	-
45034	Richardson-Taylor 3-	301	270	4,185,896	15,503	175.33	-	-	175	733,913	606,955	-
46010	Hope 10	145	137	3,444,118	25,140	175.08	-	-	175	502,996	499,397	-
46019	Finley-Sharon 19	164	179	4,201,890	23,474	185.00	-	-	185	777,350	609,274	-
47001	Jamestown 1	2,542	2,736	27,735,961	10,137	185.00	4.00	-	189	5,242,097	4,021,714	-
47003	Medina 3	151	169	3,108,787	18,395	174.61	-	-	175	542,825	450,774	-
47010	Pingree-Buchanan	156	119	2,939,787	24,704	164.20	-	-	164	482,713	426,269	-

Department of Public Instruction
4/10/2003 Minimum Levy Re

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Yubereca d. Lee
Operator's signature
10-16-03
Date

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	TAXVAL	18	19	20	21	22	GF Levy 3	Current Levy Generated	145 Min Levy	Recapture
1	2	9	17	18	18	18	19	20	21	22	GF Levy 3	Current Levy Generated	145 Min Levy	Recapture
		DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN						
47014	Montpelier 14	116	113	2,312,914	20,468	200.31	-	-	-	-	200	453,300	335,373	-
47019	Kensal 19	66	81	2,559,193	31,595	154.86	-	-	-	-	155	396,317	371,083	-
47026	Spiritwood 26	11	25	3,020,816	120,833	132.06	-	-	-	-	132	398,929	438,018	39,089
48002	Bisbee-Egeland 2	93	99	3,563,017	35,990	157.77	-	-	-	-	158	562,137	516,637	-
48008	Sorthern 8	278	291	4,013,980	13,794	156.95	2.99	-	-	-	160	641,996	582,027	-
48028	North Central 28	69	83	2,412,755	29,069	165.66	-	-	-	-	166	399,697	349,849	-
49003	Central Valley 3	288	317	5,816,070	18,347	150.45	-	-	-	-	150	875,028	843,330	-
49007	Hutton 7	257	270	3,688,907	13,663	169.43	-	-	-	-	169	625,012	534,892	-
49009	Hillsboro 9	426	445	8,433,888	18,953	156.99	-	-	-	-	157	1,324,036	1,222,914	-
49014	May-Port CG 14	618	631	10,357,790	16,415	185.00	-	-	-	-	185	1,916,191	1,501,880	-
50003	Grafton 3	911	968	9,572,538	9,889	197.13	4.13	-	-	-	201	1,926,569	1,388,018	-
50020	Minto 20	238	234	3,796,724	16,225	169.62	3.95	-	-	-	174	658,997	550,525	-
50039	Larkin 39	56	37	540,848	25,428	172.10	-	-	-	7.97	180	169,418	136,423	-
50051	Nash 51	25	36	861,187	23,922	139.34	4.37	-	-	-	144	123,761	124,872	-
50078	Park River 78	429	409	5,596,651	13,684	185.00	2.03	-	-	-	187	1,046,742	811,514	-
50079	Fortville 79	86	108	1,880,052	17,408	161.44	-	-	-	-	161	303,516	272,608	-
50106	Edinburg 106	138	120	1,835,845	15,299	173.50	-	-	-	-	174	318,519	266,198	-
50128	Adams 128	91	91	1,906,762	20,953	167.04	-	-	-	-	167	318,506	276,480	-
51001	Minot 1	6,905	5,933	65,839,076	11,097	185.00	8.68	-	-	-	194	12,751,712	9,546,666	-
51004	Nedrose 4	246	394	4,146,163	10,523	96.47	132.65	-	-	-	229	949,969	601,194	-
51007	United 7	618	699	6,008,329	8,596	149.79	-	-	-	-	150	899,988	871,208	-
51010	Bell 10	142	243	2,053,703	8,451	112.80	115.23	-	-	9.74	238	488,309	297,787	-
51016	Sawyer 16	152	162	2,231,287	13,773	176.38	-	-	-	-	176	393,554	323,537	-
51019	Eureka 19	21	46	810,520	17,620	39.48	94.38	-	-	-	134	108,496	117,525	9,029
51028	Kenmare 28	318	326	6,577,309	20,176	174.84	-	-	-	-	175	1,149,977	953,710	-
51041	Surrey 41	419	355	2,712,261	7,640	177.11	-	-	-	-	177	480,372	393,281	-
51054	Berthold 54	215	175	3,963,222	22,647	141.80	-	-	-	-	142	561,985	574,667	-
51070	S Prairie 70	154	193	2,910,436	15,080	142.59	44.67	-	-	5.84	193	562,005	422,013	12,682
51158	N Shore 158	112	96	2,928,683	30,507	169.02	-	-	-	-	169	495,006	424,659	-
51160	Minot AFB 160	-	1,389	-	-	-	-	-	-	-	-	-	-	-
52025	Fessenden-Bowdon	237	273	7,421,086	27,183	134.11	-	-	-	-	134	995,242	1,076,057	80,816
52035	Pleasant Valley 3	17	45	1,028,193	22,849	173.20	-	-	-	-	173	178,083	149,088	-
52038	Harvey 38	517	500	8,258,319	16,517	181.10	-	-	-	-	181	1,495,582	1,197,456	-
52039	Sykes 39	79	73	1,583,456	21,691	171.56	-	-	-	-	172	271,658	229,601	-
53001	Williston 1	2,345	2,480	15,489,576	6,250	238.72	-	-	-	-	239	3,700,059	2,247,439	-
53002	Nesson 2	179	158	3,351,258	21,210	181.53	-	-	-	-	182	608,354	485,932	-

Department of Public Instruction
4/10/2003 Minimum Leve Re
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Yherena J. Joo
Operator's Signature

10-16-03
Date

County/ District Number	School District Name	2	9	17	18	19	20	21	22	GF	145	Recapture
		DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF	Levy 3	Current Levy Generated	Min Levy
		Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H.S. Tuition Levy	H.S. Trans. Levy				
53006	Eight Mile 6	219	184	1,433,645	7,792	181.36	-	-	181	207,879	260,006	207,879
53008	New 8	224	390	7,377,970	18,918	130.12	60.99	-	191	1,069,806	1,410,004	1,069,806
53015	Troga 15	280	290	5,700,249	19,656	175.43	-	-	175	826,536	999,995	826,536
53091	Wildrose-Alamo 91	49	55	1,982,697	36,049	141.22	-	-	141	287,491	279,996	287,491
53099	Grenora 99	65	73	3,630,971	49,739	162.49	-	-	162	526,491	589,996	526,491
	North Dakota	103,013	108,410	1,424,919,700	13,144	191.01	3.34	0.13	194	206,613,357	277,117,326	206,613,357
										estimate no state aid		853,755
										net from deduct		2,322,760

Department of Public Instruction
 4/10/2003 Minimum Levy Report
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Yubereca d. Lee
 Operator's Signature

10-16-03
 Date

Minimum levy:

one year

4/15/03

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Levy Generated	Min-Levy 140	Recapture
1	2	9	17	18	19	20	21	22	GF Levy 3	Current Levy Generated	Min-Levy 140	Recapture
		DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF Levy 3	Current Levy Generated	Min-Levy 140	Recapture
1013	Hettinger 13	364	369	6,109,358	16,557	52.72	9.91	-	163	993,565	855,310	-
2002	Valley City 2	1,211	1,123	13,714,871	12,213	185.00	4.01	-	189	2,592,248	1,920,082	-
2013	Oriska 13	88	86	1,984,888	23,080	10.08	-	-	10	20,008	277,884	257,877
2052	Litchville 52	89	139	3,454,226	24,851	112.05	-	-	112	387,046	483,592	96,546
2065	N Central 65	158	172	5,894,315	34,269	123.85	-	-	124	730,011	825,204	95,193
2082	Wimbledon-Courten	163	156	5,459,446	34,996	135.54	-	-	136	739,973	764,322	24,349
3005	Minnewatkan 5	117	90	1,407,419	15,638	181.21	9.60	-	191	268,550	197,039	-
3006	Leeds 6	188	176	4,243,950	24,113	168.48	-	-	168	715,021	594,153	-
3009	Maddock 9	228	210	3,865,702	18,408	164.94	-	-	165	637,609	541,198	-
3016	Oberon 16	50	28	947,518	33,840	100.58	27.43	-	128	121,292	132,653	11,361
3029	Warwick 29	203	313	1,096,094	3,502	144.15	-	-	144	158,002	153,453	-
3030	Ft Totten 30	185	458	95,402	208	185.00	133.12	-	318	30,349	13,356	-
4001	Billings Co 1	73	167	4,866,642	29,142	38.12	-	-	38	185,516	681,330	495,813
5001	Bottineau 1	797	705	8,066,484	11,442	178.02	-	-	178	1,435,995	1,129,308	-
5013	Willow City 13	52	84	1,884,279	22,432	174.60	-	-	175	328,995	263,799	-
5017	Westhope 17	151	154	3,520,991	22,864	149.22	-	-	149	525,402	492,939	-
5035	Lansford 35	32	94	1,729,656	18,401	79.16	108.50	-	188	324,587	242,152	-
5054	Newburg-United 54	79	113	1,915,109	43,497	127.51	0.83	-	128	630,805	688,115	57,310
6001	Bowman 1	425	384	4,553,708	11,859	151.52	-	-	152	689,978	637,519	-
6017	Rhame 17	80	72	2,080,239	28,892	130.27	-	-	130	270,993	291,233	20,241
6033	Scranton 33	176	159	3,444,351	21,663	162.38	-	-	162	569,294	482,209	-
7014	Bowbells 14	102	104	2,890,100	27,789	156.40	-	-	156	452,012	404,614	-
7027	Powers Lake 27	118	126	2,028,286	15,846	185.00	-	-	185	375,233	283,960	-
7036	Burke Central 36	108	101	3,390,806	33,572	120.92	-	-	121	410,016	474,713	64,697
8001	Bismarck 1	10,399	10,494	126,181,449	12,024	236.64	-	-	237	29,859,578	17,665,403	-
8002	Regan 2	9	25	716,339	28,654	76.78	-	-	77	55,001	100,287	45,287
8025	Naughton 25	5	16	230,269	14,392	175.10	13.03	-	186	43,321	32,238	-
8028	Wing 28	77	57	1,930,798	33,874	139.84	-	-	140	270,003	270,312	309
8029	Baldwin 29	22	49	646,819	13,200	151.95	-	-	152	98,284	90,555	-
8033	Manoken 33	21	71	1,116,493	15,725	161.77	44.78	-	207	230,612	156,309	-
8034	McKenzie Co 1	-	-	-	-	-	-	-	-	-	-	-
8035	Sterling 35	43	72	1,896,085	26,335	128.78	14.24	14.24	157	298,178	265,452	-
8039	Apple Creek 39	49	124	1,521,837	12,273	96.60	166.00	-	263	399,634	213,057	-
8045	Manning 45	4	34	181,693	5,344	176.12	99.07	-	275	50,000	25,437	-
9001	Fargo 1	11,095	11,700	165,660,299	14,159	291.80	-	-	292	48,339,675	23,192,442	-
9002	Kindred 2	712	683	10,124,617	14,610	171.29	-	-	171	1,734,246	1,417,446	-

Department of Public Instruction

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4/10/2003 Minimum Levy D.

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Operator's Signature

10-16-03
Date

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Lvy 3	Current Levy Generated	Min Levy	140	Recapture
1	2	9	17	18	19	20	21	22					
Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	Lvy 3	Generated	Min Levy		
9004	Maple Valley 4	199	232	6,372,897	27,469	136.52	-	-	137	870,028	892,206	22,178	
9006	West Fargo 6	5,207	4,771	75,502,025	15,825	185.00	3.82	-	189	14,256,292	10,570,284	-	
9007	Mapleton 7	105	216	2,610,721	12,087	140.09	114.78	-	255	665,394	365,501	-	
9017	Central Cass 17	841	723	10,920,544	15,104	169.49	-	-	169	1,850,923	1,528,876	-	
9080	Page 80	129	117	3,446,015	29,453	169.04	-	-	169	582,514	482,442	-	
9097	Northern Cass	457	442	9,807,376	11,293	173.86	-	-	174	1,705,110	1,373,033	-	
10014	Border Central 14	33	37	3,149,782	85,129	167.20	-	-	167	526,644	440,969	-	
10019	Munich 19	126	136	3,195,645	23,497	139.48	-	-	139	445,729	447,390	-	
10023	Langdon Area 23	548	644	12,120,769	18,821	149.48	-	-	149	1,811,813	1,696,908	-	
11040	Ellendale 40	374	463	5,152,397	13,288	164.57	-	-	165	1,012,500	861,336	-	
11041	Oakes 41	519	501	7,320,614	14,612	185.00	1.00	-	186	1,361,634	1,024,886	-	
12001	Divide County 1	302	306	6,805,800	22,241	140.76	-	-	141	957,984	952,812	-	
13008	Dodge 8	47	36	629,167	17,477	185.00	-	-	185	116,396	88,083	-	
13016	Killebrew 16	365	355	7,132,108	20,090	148.25	-	-	148	1,057,335	998,495	-	
13019	Halliday 19	79	77	1,978,472	25,694	161.68	-	-	162	319,879	276,986	-	
13037	Twin Buttes 37	46	72	23,908	332	-	-	-	-	-	3,347	3,347	
14001	New Rockford 1	397	343	5,319,311	15,508	180.76	-	-	181	961,519	744,704	-	
14012	Sheyenne 12	115	92	1,528,580	16,615	157.31	-	-	157	240,002	214,001	-	
15006	Hazleton-Moffit-Brac	142	153	3,695,447	24,153	156.95	-	-	157	580,000	517,363	-	
15010	Bakker 10	8	34	613,544	18,045	85.78	22.88	-	109	66,668	85,896	19,228	
15012	Union 12	5	19	579,313	30,459	69.04	22.14	-	91	52,822	81,104	28,282	
15015	Strasburg 15	207	190	2,866,318	15,086	127.34	-	-	127	384,997	401,285	36,288	
15036	Lincoln 36	377	364	5,266,430	14,468	163.72	-	-	164	862,220	737,300	-	
16010	Carrington 10	651	627	10,054,866	16,036	161.42	-	-	161	1,623,056	1,407,681	-	
17003	Beach 3	341	279	4,012,404	14,381	173.21	-	-	173	694,988	561,737	-	
17006	Lone Tree 6	51	65	1,348,544	20,747	114.94	60.81	-	176	237,007	188,796	-	
18001	Grand Forks 1	8,008	7,361	90,991,880	12,361	225.51	-	-	226	20,519,579	12,738,863	-	
18044	Larimore 44	573	555	6,634,685	11,954	185.00	-	-	185	1,227,417	928,856	-	
18061	Thompson 61	481	517	4,829,527	9,341	160.99	-	-	161	777,506	676,134	-	
18125	Maxvel 125	176	306	3,271,085	10,690	82.02	101.24	12.12	195	639,105	457,952	-	
18127	Emerado 127	98	173	1,869,585	10,807	136.94	68.47	8.22	214	399,399	261,742	-	
18128	Midway 128	323	328	5,576,582	17,002	176.20	-	-	176	982,594	780,721	-	
18129	Northwood 129	315	363	5,250,190	14,491	154.37	-	-	154	812,016	736,427	-	
18140	Grand Forks AFB 1	-	1,032	-	-	-	-	-	-	-	-	-	
19018	Roosevelt 18	124	146	2,195,652	15,039	184.95	6.69	-	192	420,775	307,391	-	
19049	Elgin-New Leipzig 4	244	221	4,153,128	18,792	198.54	-	-	199	824,562	581,438	-	

Dept. of Public Instruction

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Operator's Signature

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County/ District Number	School District Name	Enroll Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Lavy 3	Current Levy Generated	Min Levy	Recapture
1	2	9	17	18	19	20	21	22	GF	Current Levy Generated	Min Levy	Recapture
		DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	Lavy 3	Current Levy Generated	Min Levy	Recapture
20007	Midkota 7	168	201	5,550,888	27,616	187.14	-	-	187	1,038,793	777,124	-
20018	Griggs County Cent	341	309	5,814,268	18,816	218.80	-	-	219	1,272,162	813,998	-
21001	Mott-Regent 1	294	298	6,574,770	22,063	140.00	-	-	140	920,468	920,468	-
21009	New England 9	199	206	4,773,429	23,172	146.65	-	-	147	700,023	668,280	-
22011	Pettibone-Tuttle 11	18	37	1,097,943	29,674	147.43	-	-	147	161,870	153,712	-
22014	Robinson 14	10	31	1,148,135	37,937	157.23	13.07	-	180	207,009	160,739	-
22020	Turtle-Pettibone 20	58	42	1,292,702	30,779	163.48	-	-	163	211,331	180,978	-
22026	Steele-Dawson 26	274	204	3,951,225	19,369	160.71	-	-	161	635,001	553,172	-
22028	Tappen 28	110	117	1,592,641	13,612	185.00	-	-	185	294,639	222,970	-
23003	Edgeley 3	260	263	5,424,690	20,626	148.40	-	-	148	805,024	759,457	-
23007	Kulm 7	131	136	4,372,709	32,152	143.52	-	-	144	627,571	612,179	-
23008	LaMoure 8	363	346	4,916,920	14,211	156.60	-	-	157	769,990	688,369	-
23009	Marion 9	108	95	2,649,469	27,889	125.61	-	-	126	332,800	370,926	38,126
23011	Verona 11	50	68	1,997,777	29,379	172.69	-	-	173	344,996	279,689	-
24002	Napoleon 2	244	245	3,816,504	15,578	166.38	-	-	166	634,990	534,311	-
24056	Gackle 14	153	169	4,542,394	26,878	121.08	-	-	121	549,993	635,935	85,942
25001	Veha 1	454	361	5,288,239	14,649	137.10	-	-	137	725,018	740,353	15,336
25014	Anamoose 14	83	81	1,852,071	22,865	153.61	-	-	154	284,497	259,290	-
25077	Wells 57	141	134	3,290,243	24,554	143.45	0.98	-	144	475,210	460,634	-
25078	Wells 58	373	370	9,729,993	26,297	122.92	-	-	123	1,196,011	1,362,199	166,188
26000	Wendland 4	60	62	2,631,444	42,443	114.01	-	-	114	300,011	368,402	68,391
26001	Wiley 9	185	179	3,730,752	20,842	152.44	1.93	-	154	575,916	522,305	-
26002	Wichek 19	266	253	3,953,082	15,625	169.79	-	-	170	671,194	553,431	-
27000	WichKenzie Co 1	617	661	9,577,054	14,489	144.40	-	-	144	1,382,927	1,340,788	-
27002	Alexander 2	80	79	2,772,410	35,094	133.46	-	-	133	370,006	388,137	18,132
27014	Yellowstone 14	54	88	1,478,598	16,802	131.51	39.66	2.50	174	256,788	207,004	-
27018	Earl 18	7	13	467,053	35,927	-	-	-	-	-	65,387	65,387
27019	Bowline Butte 19	6	11	441,274	40,116	79.32	15.86	13.60	109	48,002	61,778	13,777
27032	Horse Creek 32	10	13	1,162,210	89,401	27.55	22.37	-	50	58,018	162,709	104,692
27036	Mandaree 36	190	264	71,954	273	97.28	-	-	97	7,000	10,074	3,074
28001	Montefiore 1	218	216	2,468,865	11,430	178.22	-	-	178	440,001	345,641	-
28004	Washburn 4	375	371	4,039,836	10,889	134.29	-	-	134	542,510	565,577	-
28008	Underwood 8	230	258	4,322,466	16,754	168.89	8.33	-	177	766,027	605,145	23,067
28050	Max 50	179	147	2,736,630	18,617	150.00	-	-	150	410,495	383,128	-
28051	Garrison 51	369	324	6,050,409	18,674	180.78	-	-	181	1,093,793	847,057	-
28072	Turtle Lake-Mercer	200	199	3,889,404	19,545	135.18	-	-	135	525,770	544,517	18,747

4/10/2003 Minimum Levy Re...



Dept. of Public Instruction

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Operator's Signature: Yuberena d. Lee Date: 10-16-03

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	TAXVAL	18	TAXVALPP	19	GFLEVY	20	H.S. Tuition Levy	H.S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	140 Recapture
28085	White Shield 85	145	123	260,573	260,573	2,118	2,118	184.21	184	48,000	-	-	184	48,000	36,480	-
29003	Hazen 3	769	736	5,291,078	5,291,078	7,189	7,189	182.38	182	964,987	-	-	182	964,987	740,751	-
29022	Golden Valley 20	55	65	1,202,614	1,202,614	18,502	18,502	112.26	112	135,005	-	-	112	135,005	168,366	-
29027	Beulah 27	87	99	983,845	983,845	9,938	9,938	216.29	216	212,796	-	-	216	212,796	137,738	-
30001	Mandan 1	915	948	9,497,146	9,497,146	10,018	10,018	185.00	185	1,756,972	-	-	185	1,756,972	1,329,600	-
30004	Little Heart 4	3,351	3,704	34,925,429	34,925,429	9,429	9,429	167.48	167	5,949,311	-	-	167	5,949,311	4,889,560	-
30007	New Salem 7	32	38	833,238	833,238	21,927	21,927	74.41	123	102,597	42.00	6.72	123	102,597	116,653	14,057
30008	Sims 8	354	331	3,742,194	3,742,194	11,306	11,306	165.28	165	618,510	-	-	165	618,510	523,907	-
30013	Hebron 13	39	58	1,521,783	1,521,783	26,238	26,238	119.60	177	269,006	42.06	15.11	177	269,006	213,050	-
30017	Sweet Briar 17	171	179	3,701,112	3,701,112	20,677	20,677	141.85	142	525,003	-	-	142	525,003	518,156	-
30039	Flasher 39	12	17	337,914	337,914	19,877	19,877	41.43	59	20,001	17.76	-	59	20,001	47,308	-
30048	Glen Ullin 48	231	206	3,077,748	3,077,748	14,941	14,941	180.33	180	555,010	-	-	180	555,010	430,885	-
31001	New Town 1	210	213	4,009,338	4,009,338	18,823	18,823	145.65	146	583,960	-	-	146	583,960	561,307	-
31002	Stanley 2	761	770	2,466,037	2,466,037	3,203	3,203	171.33	171	422,506	-	-	171	422,506	345,245	-
31003	Parshall 3	376	359	5,734,864	5,734,864	15,975	15,975	181.54	182	1,041,107	-	-	182	1,041,107	802,881	-
31137	Plaza 137	302	336	3,255,892	3,255,892	9,690	9,690	178.25	178	580,363	-	-	178	580,363	455,825	-
32001	Dakota Prairie 1	26	57	1,812,672	1,812,672	31,801	31,801	206.54	207	374,389	-	-	207	374,389	253,774	27,307
32066	Lakota 66	324	434	9,374,272	9,374,272	21,600	21,600	184.34	184	1,728,053	-	-	184	1,728,053	1,312,398	-
33018	Center 18	264	191	4,445,369	4,445,369	23,274	23,274	185.00	185	822,393	-	-	185	822,393	622,352	-
34001	Pembina 1	248	291	3,714,098	3,714,098	12,753	12,753	170.00	170	631,397	-	-	170	631,397	519,974	-
34006	Cavaller 6	149	157	3,901,182	3,901,182	24,848	24,848	173.12	175	681,693	1.62	-	175	681,693	546,165	-
34012	Valley 12	555	514	8,038,563	8,038,563	15,639	15,639	185.00	185	1,487,134	-	-	185	1,487,134	1,125,399	-
34019	Drayton 19	158	153	3,572,513	3,572,513	23,350	23,350	179.75	199	709,465	13.59	-	199	709,465	500,152	-
34027	Walhalla 27	209	223	5,516,701	5,516,701	24,739	24,739	179.75	180	991,577	-	-	180	991,577	772,338	-
34043	St Thomas 43	314	281	4,625,163	4,625,163	16,450	16,450	201.01	201	929,704	-	-	201	929,704	647,523	-
34055	Neché 55	141	144	2,988,946	2,988,946	26,757	26,757	184.53	203	607,952	16.73	1.67	203	607,952	418,452	-
35001	Wolford 1	102	136	1,602,653	1,602,653	28,117	28,117	176.65	193	662,197	-	-	193	662,197	481,573	-
35005	Rugby 5	60	57	3,439,804	3,439,804	13,680	13,680	183.86	177	283,109	-	-	177	283,109	224,371	-
36001	Devils Lake 1	605	720	9,993,864	9,993,864	6,934	6,934	187.41	184	1,837,472	-	-	184	1,837,472	1,399,141	-
36002	Edmore 2	1,906	2,342	16,240,206	16,240,206	46,172	46,172	135.53	187	3,043,577	-	-	187	3,043,577	2,273,629	-
36044	Starkweather 44	101	97	4,478,700	4,478,700	25,435	25,435	153.67	136	606,998	-	-	136	606,998	627,018	-
37002	Sheikton 2	113	105	2,670,626	2,670,626	14,631	14,631	173.33	154	410,395	-	-	154	410,395	373,888	-
37006	Ft Ransom 6	40	47	1,419,232	1,419,232	20,631	20,631	168.14	209	296,094	35.30	-	209	296,094	198,692	-
37010	Sakund 10	20	12	825,254	825,254	10,475	10,475	71.60	178	147,019	10.01	-	178	147,019	115,536	-
37019	Lisbon 19	662	576	125,703	125,703	14,202	14,202	181.78	191	24,000	119.33	-	191	24,000	17,598	-
				8,180,251	8,180,251				182	1,487,006			182	1,487,006	1,145,235	

Depositor

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County/ District Number	School District Name	Enroll Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	Recapture
1	2	9	17	18	19	20	21	22	23	24	25	26
Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLVY	HSTUIT	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
47014	Montpelier 14	116	113	2,312,914	20,468	200.31	-	-	200	463,300	323,808	-
47019	Kensal 19	66	81	2,559,193	31,595	154.86	-	-	155	396,317	358,287	-
47026	Spiritwood 26	11	25	3,020,816	120,833	132.06	-	-	132	398,929	422,914	-
48002	Bisbee-Egeland 2	93	99	3,563,017	35,990	157.77	-	-	158	562,137	498,822	23,985
48008	Southern 8	278	291	4,013,980	13,794	156.95	2.99	-	160	641,996	561,957	-
48028	North Central 28	69	83	2,412,755	29,069	165.66	-	-	166	399,697	337,786	-
49003	Central Valley 3	288	317	5,816,070	18,347	150.45	-	-	150	875,028	814,250	-
49007	Hatton 7	257	270	3,688,907	13,663	169.43	-	-	169	625,012	516,447	-
49009	Hillsboro 9	426	445	8,433,888	18,953	156.99	-	-	157	1,324,036	1,180,744	-
49014	Mey-Port CG 14	618	631	10,357,790	16,415	185.00	-	-	185	1,916,191	1,450,091	-
50003	Grafton 3	911	968	9,572,538	9,889	197.13	4.13	-	201	1,926,569	1,340,155	-
50020	Minot 20	238	234	3,796,724	16,225	199.62	3.95	-	174	558,997	531,541	-
50039	Larkin 39	56	37	940,848	25,428	172.10	-	-	180	169,418	131,719	-
50051	Nash 51	25	36	961,187	23,922	139.34	4.37	7.97	144	123,761	120,566	-
50078	Park River 78	429	409	5,596,651	13,684	185.00	2.03	-	187	1,046,742	783,531	-
50079	Fortville 79	86	108	1,880,052	17,408	161.44	-	-	161	303,516	263,207	-
50106	Edinburg 106	138	120	1,835,845	15,299	173.50	-	-	174	318,519	257,018	-
50128	Adams 128	91	91	1,906,762	20,953	167.04	-	-	167	318,506	266,947	-
51001	Minot 1	6,905	5,933	65,839,076	11,097	185.00	8.68	-	194	12,751,712	9,217,471	-
51004	Nedrose 4	246	394	4,146,163	10,523	96.47	132.65	-	229	949,969	580,463	-
51007	United 7	618	699	6,008,329	8,596	149.79	-	-	150	899,988	841,166	-
51010	Bell 10	142	243	2,053,703	8,451	112.80	115.23	9.74	238	488,309	287,518	-
51016	Sawyer 16	152	162	2,231,287	13,773	176.38	-	-	176	393,554	312,380	-
51019	Eureka 19	21	46	810,520	17,620	39.48	-	-	134	108,496	113,473	4,977
51028	Kanmare 28	318	326	6,577,309	20,176	174.84	94.38	-	175	1,149,977	920,823	-
51041	Surrey 41	419	355	2,712,281	7,640	177.11	-	-	142	480,372	379,719	-
51054	Berthold 54	215	175	3,963,222	22,647	141.80	-	-	193	561,985	554,851	-
51070	S Prairie 70	154	193	2,910,436	15,080	142.59	44.67	5.84	169	562,005	407,461	-
51158	N Shore 158	112	96	2,928,683	30,507	169.02	-	-	134	995,242	1,038,952	43,710
51160	Minot AFB 160	-	1,389	7,421,086	27,183	134.11	-	-	173	178,083	143,947	-
52025	Fessenden-Bowdon	237	273	1,028,193	22,849	173.20	-	-	181	1,495,582	1,156,165	-
52035	Pleasant Valley 3	17	45	8,258,319	16,517	181.10	-	-	172	271,658	221,684	-
52038	Harvey 38	517	500	1,583,456	21,691	171.56	-	-	239	3,700,059	2,169,941	-
52039	Sykes 39	79	73	15,499,576	6,250	238.72	-	-	182	469,176	469,176	-
53001	Wasson 1	2,345	2,480	3,351,258	21,210	161.53	-	-	-	-	-	-
53002	Nesson 2	179	158	-	-	-	-	-	-	-	-	-

Depa of Public Instruction

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Yherosa J. Joo
Operator's Signature

10-16-03
Date

1	2	9	17	18	19	20	21	22	GF	Current Levy	Min Levy	Recapture
Country/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	TAXVALPP Value Per Pupil	GFLEVY General Fund Levy	HSTUIT H.S. Tuition Levy	HSTRAN H.S. Trans. Levy	Levy 3	Generated		
53006	Eight Mile 6	219	184	1,433,645	7,792	181.36	-	-	181	260,006	200,710	-
53008	New 8	224	380	7,377,970	16,918	130.12	60.99	-	191	1,410,004	1,032,916	-
53015	Toga 15	280	290	5,700,249	19,656	175.43	-	-	175	989,995	798,035	-
53091	Wildrose-Alamo 91	49	55	1,982,697	36,049	141.22	-	-	141	279,996	277,578	-
53099	Grenora 99	65	73	3,630,971	49,739	162.49	-	-	162	589,996	508,336	-
	North Dakota	103,013	108,410	1,424,919,700	13,144	191.01	3.34	0.13	194	277,117,326	199,488,758	2,469,273

@ 1.7 million

4/10/2003 Minimum Levy R. xts jac

Dept. of Public Instruction

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Supplemental Revenue Scenarios

ID	District	1999-00	2000-01	2001-02	2002-03	2003-04	2003-04	2003-04	2003-04	Gen Fund	Rev PP
		Supp Pmt	Supp Pmt	Supp Pmt	Supp Pmt	Exec Rec	Senate	House	Conf	Instr Cost PP	Levy
41003	N Sargent	98,641	107,077	106,512	106,512	12,558		168,425	4,002	5,494	184
45001	Edinburg 1	2,507	500	6,932	6,932			2,862	4,996	4,748	177
45009	S Heart/29	6,028						6,535	2,862	4,996	144
45013	Belfield 13								2,161	5,408	175
45034	Richmond-Taylor	65,063	56,695	70,807	71,802	119,103	198,928	186,098	178,595	4,521	185
47001	Jamestown 1		483		162	230		359	2,750	4,866	157
48008	Southern 8				280				2,920	5,490	169
49007	Hatton								5,205	5,839	185
49009	Waverly 04	46,372	51,091	53,072	53,072	70,143	88,838	88,838	4,264	4,411	197
50003	Cherokee 3	1,308	2,356	3,688	3,688	4,401	32,000	6,876	18,180	4,411	185
50078	Park River 78	2,408	4,404	2,055		1,053		1,645	3,810	5,544	174
50106	Edinburg 106									5,731	185
51001	Manuel 1	128,517	167,087	4,632	4,632					4,032	150
51007	Griffith	421	20,385	30,588	23,512	34,272	53,549	36,249	36,249	5,883	176
51016	Sumner	18,386	391				35,672		687	3,976	177
51041	Sunny 41								445,863	5,382	181
52038	Harvey	250,323	269,778	265,288	257,411	406,653	197,380	635,404	445,863	4,536	239
53001	Williston 1	1,504,388	1,174,773	1,097,383	1,102,617	1,600,000	2,500,000	2,500,000	2,500,000	5,550	191
	Statewide		35	35	32	26	30	26	45		

← districts eligible

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Minimum Levy - 140 Revised Jerry Coleman 4/16/03

County/ District Number	School District Name	Enroll Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	HSTRAN	GF Levy 3	Current Levy Generated	Min-Levy	Recapture
1013	Hettinger 13	364	369	6,109,358	16,557	152.72	9.91	-	-	163	993,565	855,310	-
2002	Valley City 2	1,211	1,123	13,714,871	12,213	185.00	4.01	-	-	189	2,592,248	1,920,082	-
2073	Oriska 73	68	86	1,984,888	23,080	10.08	-	-	-	70	20,008	277,884	257,877
2052	Litchville 52	89	139	3,454,226	24,851	112.05	-	-	-	112	387,046	483,592	96,546
2065	N Central 65	158	172	5,894,315	34,269	123.85	-	-	-	124	730,011	825,204	95,193
2082	Wimbledon-Courtenay &	163	156	5,459,446	34,996	135.54	-	-	-	136	739,973	764,322	24,349
3005	Minnewaukan 5	117	90	1,407,419	15,638	181.21	9.60	-	-	191	268,550	197,039	-
3006	Leeds 6	188	176	4,243,950	24,113	168.48	-	-	-	168	715,021	594,153	-
3009	Maddock 9	228	210	3,865,702	18,408	164.94	-	-	-	165	637,609	541,198	-
3016	Oberon 16	50	28	947,518	33,840	100.58	27.43	-	-	128	121,252	132,653	11,361
3029	Warwick 29	203	313	1,096,094	3,502	144.15	-	-	-	144	158,002	153,453	-
3030	Fl Totten 30	185	458	95,402	208	185.00	133.12	-	-	318	30,349	13,356	-
4001	Billings Co 1	73	167	4,866,642	29,142	38.12	-	-	-	38	185,516	681,330	495,813
5001	Botineau 1	797	705	8,066,484	11,442	178.02	-	-	-	178	1,435,995	1,125,308	-
5013	Willow City 13	52	84	1,884,279	22,432	174.60	-	-	-	175	328,995	263,799	-
5017	Westhope 17	151	154	3,520,981	22,864	149.22	-	-	-	149	525,402	492,939	-
5035	Lansford 35	32	94	1,729,656	18,401	79.16	108.50	-	-	188	324,587	242,152	-
5054	Newburg-United 54	79	113	4,915,109	43,497	127.51	0.83	-	-	128	630,805	688,115	57,310
6001	Bowman 1	425	384	4,553,708	11,859	151.52	-	-	-	152	689,978	637,519	-
6017	Rhame 17	80	72	2,080,239	28,892	130.27	-	-	-	130	270,993	291,233	20,241
6033	Scranton 33	176	159	3,444,351	21,663	162.38	-	-	-	162	559,294	482,209	-
7014	Bowbells 14	102	104	2,890,100	27,789	156.40	-	-	-	156	452,012	404,614	-
7027	Powers Lake 27	118	128	2,028,286	15,846	185.00	-	-	-	185	375,233	283,960	-
7036	Burke Central 36	108	101	3,390,806	33,572	120.92	-	-	-	121	410,016	474,713	64,697
8001	Bismarck 1	10,399	10,494	126,181,449	12,024	236.64	-	-	-	237	29,859,578	17,965,403	-
8002	Regan 2	9	25	716,339	28,654	76.78	-	-	-	77	55,007	100,287	45,287
8025	Naughton 25	5	16	230,269	14,392	175.10	13.03	-	-	188	43,321	32,238	-
8028	Wing 28	77	57	1,930,798	33,874	139.84	-	-	-	140	270,003	270,312	309
8029	Baldwin 29	22	49	646,819	13,200	151.95	-	-	-	152	98,284	90,555	-
8029	Menoken 33	21	71	1,116,493	15,725	161.77	44.78	-	-	207	230,612	156,309	-
8035	Sterling 35	43	72	1,896,085	26,335	128.78	14.24	14.24	-	157	298,178	265,452	-
8039	Apple Creek 39	49	124	1,521,837	12,273	96.60	166.00	-	-	263	399,634	213,057	-
8045	Manning 45	4	34	181,693	5,344	176.12	99.07	-	-	275	50,000	25,437	-

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Yuberena J. Lee Operator's Signature *10-16-03* Date

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County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	HSTRAN	GF Levy 3	Generated	Min Levy	Recapture
Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF Levy 3	Generated	Min Levy	140	Recapture
9001	Fargo 1	11,095	11,700	165,660,299	14,159	291.80	-	-	292	48,339,675	23,192,442	-	
9002	Kindred 2	712	693	10,124,617	14,610	171.29	-	-	171	1,734,246	1,417,446	-	
9004	Maple Valley 4	199	232	6,372,897	27,469	136.52	-	-	137	870,028	892,206	22,178	
9006	West Fargo 6	5,207	4,771	75,502,025	15,825	185.00	3.82	-	189	14,256,292	10,570,284	-	
9007	Mapleton 7	105	216	2,510,721	12,087	140.09	114.78	-	255	665,394	365,501	-	
9017	Central Cass 17	841	723	10,920,544	15,104	169.49	-	-	169	1,850,923	1,528,876	-	
9080	Page 80	129	117	3,446,015	29,453	169.04	-	-	169	582,514	482,442	-	
9097	Northern Cass	457	442	9,807,376	11,293	173.86	-	-	174	1,705,110	1,373,033	-	
10014	Border Central 14	33	37	3,149,782	85,129	167.20	-	-	167	526,644	440,969	-	
10019	Munich 19	126	136	3,195,645	23,497	139.48	-	-	139	445,729	447,390	-	
10023	Langdon Area 23	548	644	12,120,769	18,821	149.48	-	-	149	1,811,813	1,696,908	-	
11040	Ellendale 40	374	463	6,152,397	13,288	164.57	1.00	-	165	1,012,500	961,336	-	
11041	Oakes 41	519	501	7,320,614	14,612	185.00	-	-	186	1,361,634	1,024,886	-	
12001	Divide County 1	302	306	6,805,800	22,241	140.76	-	-	141	957,984	952,812	-	
13008	Dodge 8	47	36	629,167	17,477	185.00	-	-	185	116,396	88,083	-	
13016	Kildear 16	365	355	7,132,108	20,090	148.25	-	-	148	1,057,335	998,495	-	
13019	Hallday 19	79	77	1,978,472	25,694	161.68	-	-	162	319,879	276,986	-	
13037	Twin Buttes 37	46	72	23,908	32	-	-	-	-	-	3,347	3,347	
14001	New Rockford 1	397	343	5,319,311	15,508	180.76	-	-	181	961,519	744,704	-	
14012	Sheyenne 12	115	92	1,528,580	16,615	157.01	-	-	157	240,002	214,001	-	
15006	Hazellon-Moffit-Braddoc	142	153	3,695,447	24,153	156.95	-	-	157	580,000	517,363	-	
15010	Bakker 10	8	34	613,544	18,045	85.78	22.88	-	109	66,668	85,896	19,228	
15012	Union 12	5	19	579,313	30,490	69.04	22.14	-	91	52,822	81,104	28,282	
15015	Strasburg 15	207	190	2,866,318	15,086	127.34	-	-	127	364,997	401,285	-	
15036	Linton 36	377	364	5,266,430	14,468	163.72	-	-	164	862,220	737,300	-	
16010	Carrington 10	651	627	10,054,866	16,036	161.42	-	-	161	1,623,056	1,407,681	-	
17003	Beach 3	341	279	4,012,404	14,381	173.21	-	-	173	694,988	561,737	-	
17006	Lone Tree 6	51	65	1,348,544	20,747	114.94	60.81	-	176	237,007	188,796	-	
18001	Grand Forks 1	8,008	7,361	90,991,880	12,361	225.51	-	-	226	20,519,579	12,738,863	-	
18044	Lainore 44	573	555	6,834,685	11,954	185.00	-	-	185	1,227,417	928,856	-	
18061	Thompson 61	481	517	4,829,527	9,341	160.99	-	-	161	777,506	676,134	-	
18125	Manvel 25	176	306	3,271,085	10,590	82.02	101.24	-	195	639,105	457,952	-	
18127	Emerado 127	98	173	1,869,585	10,807	136.94	68.47	8.22	214	399,399	261,742	-	

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	Recapture
Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
18128	Midway 128	323	328	5,576,582	17,002	176.20	-	-	176	982,594	780,721	-
18129	Northwood 129	315	363	5,260,190	14,491	154.37	-	-	154	812,016	736,427	-
19018	Roosevelt 18	124	146	2,195,652	15,039	184.95	6.69	-	192	420,775	307,391	-
19049	Elgin-New Leipzig 49	244	221	4,153,128	18,792	198.54	-	-	199	824,562	581,438	-
20007	Midkota 7	168	201	5,550,888	27,616	187.14	-	-	187	1,038,793	777,124	-
20018	Griggs County Central 11	341	309	5,814,268	18,816	218.80	-	-	219	1,272,152	813,998	-
21001	Mott-Regent 1	294	298	6,574,770	22,063	140.00	-	-	140	920,468	920,468	-
21009	New England 9	199	206	4,773,429	23,172	146.65	-	-	147	700,023	668,280	-
22011	Pettibone-Tattle 11	16	37	1,097,943	29,674	147.43	-	-	147	161,870	153,712	-
22014	Robinson 14	10	31	1,148,135	37,037	167.23	13.07	-	180	207,009	160,739	-
22020	Tuttle-Fetibone 20	58	42	1,292,702	30,779	163.48	-	-	163	211,331	180,978	-
22026	Steele-Dawson 26	274	204	3,951,225	19,369	160.71	-	-	161	635,001	553,172	-
22028	Tappen 28	110	117	1,592,641	13,612	185.00	-	-	185	294,639	222,970	-
23003	Edgeley 3	260	263	5,424,690	20,626	148.40	-	-	148	805,024	759,457	-
23007	Kulm 7	131	136	4,372,709	32,152	143.52	-	-	144	627,571	612,179	-
23008	LaMoure 8	363	346	4,916,920	14,211	156.60	-	-	157	769,990	688,369	-
23009	Marion 9	108	95	2,649,469	27,889	125.61	-	-	126	332,800	370,926	38,126
23711	Verona 11	50	68	1,997,777	29,375	172.69	-	-	173	344,996	279,589	-
24002	Napoleon 2	244	155	3,816,504	15,578	166.38	-	-	166	634,990	534,311	-
24056	Gackle 14	153	169	4,542,394	26,878	121.08	-	-	121	549,993	635,935	85,942
25001	Velva 1	454	361	5,288,239	14,649	137.10	-	-	137	725,018	740,353	15,336
25014	Anamoose 14	83	81	1,852,071	22,865	153.61	-	-	154	284,497	259,290	-
25057	Drake 57	141	134	3,290,243	24,554	143.45	0.98	-	144	475,210	460,634	-
25360	TGU 60	373	370	9,729,993	26,297	122.92	-	-	123	1,196,011	1,362,199	166,188
26004	Zealand 4	60	62	2,631,444	42,443	114.01	-	-	114	300,011	368,402	68,391
26009	Ashley 9	185	179	3,730,752	20,842	152.44	1.93	-	154	575,916	522,305	-
26019	Wishek 19	266	253	3,953,082	15,625	169.79	-	-	170	671,194	553,431	-
27001	McKenzie Co 1	617	661	9,577,054	14,489	144.40	-	-	144	1,382,527	1,340,788	-
27002	Alexander 2	80	79	2,772,410	35,094	133.46	-	-	133	370,006	368,137	18,132
27014	Yellowstone 14	54	88	1,476,598	16,802	131.51	-	-	174	256,788	207,004	-
27018	Earl 18	7	13	467,053	35,927	-	39.66	2.50	-	-	-	-
27019	Bowline Butte 19	6	11	441,274	40,116	79.32	-	-	109	48,002	65,387	65,387
27032	Horse Creek 32	10	13	1,162,210	89,401	27.55	22.37	-	50	58,018	162,709	104,692

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Deanna Ball...
Operator's Signature

10/31/03
Date

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Yubereca d. Doe
 Operator's Signature 10-16-03
Date

County/ District Number	School District Name	Enroll Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN				140	
27036	Mandaree 36	190	264	71,954	273	97.28	-	-	-	97	7,000	10,074	3,074
28001	Montefiore 1	218	216	2,468,865	11,430	178.22	-	-	-	178	440,001	345,641	-
28004	Washburn 4	375	371	4,039,836	10,889	134.29	-	-	-	134	542,510	565,577	23,967
28008	Underwood 8	230	258	4,322,466	16,754	168.89	8.33	-	-	177	766,027	605,145	-
28050	Max 50	179	147	2,736,630	18,617	150.00	-	-	-	150	410,495	383,128	-
28051	Garrison 51	369	324	6,050,409	18,674	180.78	-	-	-	181	1,093,793	847,057	-
28072	Turtle Lake-Mercer 72	200	199	3,839,404	19,545	135.18	-	-	-	135	525,770	544,517	18,747
28085	White Shield 85	145	123	260,573	2,118	184.21	-	-	-	184	48,000	36,480	-
29003	Hazen 3	769	736	5,291,078	7,189	182.38	-	-	-	182	964,987	740,751	-
29020	Golden Valley 20	55	65	1,202,614	18,502	112.26	-	-	-	112	135,005	168,366	-
29022	Stanton 22	87	99	983,845	9,938	216.29	-	-	-	216	212,796	137,738	33,361
29027	Beulah 27	915	948	9,497,146	10,018	185.00	-	-	-	185	1,756,972	1,329,600	-
30001	Mandan 1	3,351	3,704	34,925,429	9,429	167.48	-	-	-	167	5,849,311	4,889,560	-
30004	Little Heart 4	32	38	833,238	21,927	74.41	42.00	6.72	-	123	102,597	116,653	14,057
30007	New Salem 7	354	331	3,742,194	11,306	165.28	-	-	-	165	618,510	523,907	-
30008	Sims 8	39	58	1,521,783	26,238	119.60	42.06	15.11	-	177	269,006	213,050	-
30013	Hebron 13	171	179	3,701,112	20,677	141.85	-	-	-	142	525,003	518,156	-
30017	Sweet Briar 17	42	17	337,914	19,877	41.43	17.76	-	-	59	20,001	47,308	27,307
30039	Flasher 39	231	206	3,077,748	14,941	180.33	-	-	-	180	555,010	430,885	-
30048	Glen Ullin 48	210	213	4,009,338	18,823	145.65	-	-	-	146	583,960	561,307	-
31001	New Town 1	761	770	2,466,037	3,203	171.33	-	-	-	171	422,506	345,245	-
31002	Stanley 2	376	359	5,734,864	15,975	181.54	-	-	-	182	1,041,107	802,881	-
31003	Parshall 3	302	336	3,255,892	9,690	178.25	-	-	-	178	580,363	455,825	-
31137	Plaza 137	26	57	1,812,672	31,801	206.54	-	-	-	207	374,369	253,774	-
32001	Dakota Prairie 1	324	434	9,374,272	21,600	185.00	-	-	-	185	1,728,053	1,312,398	-
32066	Lakota 66	264	191	4,445,369	23,274	184.34	-	-	-	184	822,393	622,352	-
33018	Center 18	248	291	3,714,098	12,763	170.00	-	-	-	170	631,397	519,974	-
34001	Pembina 1	149	157	3,901,182	24,848	173.12	1.62	-	-	175	681,693	546,165	-
34006	Cavalier 6	555	514	8,038,563	15,639	185.00	-	-	-	185	1,487,134	1,125,399	-
34012	Valley 12	158	153	3,572,513	23,350	185.00	13.59	-	-	199	709,465	500,152	-
34019	Drayton 19	209	223	5,516,701	24,739	179.75	-	-	-	180	991,627	772,338	-
34027	Waltham 27	314	281	4,625,163	16,460	201.01	-	-	-	201	929,704	647,523	-
34043	St Thomas 43	141	144	2,988,946	20,757	185.00	16.73	1.67	-	203	607,952	418,452	-

Department of Public Instruction

County/ District Number	School District Name	Enroll Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	Recapture
34055	Neche 55	102	136	3,439,804	25,293	184.53	7.98	-	193	662,197	481,573	-
35001	Wofford 1	60	57	1,602,653	28,117	176.65	-	-	177	283,109	224,371	-
35005	Ragby 5	605	720	9,993,864	13,880	183.86	-	-	184	1,837,472	1,399,141	-
36001	Devils Lake 1	1,906	2,342	16,240,206	6,934	187.41	-	-	187	3,043,577	2,273,629	-
36002	Edmore 2	101	97	4,478,700	46,172	135.53	-	-	136	506,998	627,018	20,020
36044	Starkweather 44	113	105	2,670,626	25,435	153.67	-	-	154	410,395	373,888	-
37002	Sheldon 2	40	97	1,419,232	14,631	173.33	35.30	-	209	296,094	198,692	-
37005	Ft Ransom 6	20	40	625,254	20,631	168.14	10.01	-	178	147,019	115,536	-
37019	Lisbon 19	662	576	8,180,251	14,202	181.78	-	-	182	1,487,006	1,145,235	-
37022	Endicott 22	329	300	5,528,526	18,429	179.07	-	-	179	990,011	774,008	-
38002	Sherwood 2	106	111	3,107,788	27,998	149.30	-	-	149	463,993	435,090	-
38009	Mohrall 9	248	224	5,186,884	23,156	128.19	-	-	128	664,907	726,164	-
38026	Glenburn 26	302	190	3,435,076	14,079	114.84	-	-	115	394,484	480,911	61,257
39005	Mantador 5	11	42	1,357,137	32,313	105.00	35.64	-	141	190,868	189,999	-
39008	Hankinson 8	328	279	4,887,194	17,517	185.00	-	-	185	904,131	684,207	-
39018	Fairmount 18	126	118	4,033,122	34,179	156.97	-	-	157	633,079	564,637	-
39028	Lidgerwood 28	236	227	3,479,463	15,328	185.00	-	-	185	643,701	487,125	-
39037	Whipetlon 37	1,519	1,560	17,750,889	11,379	185.00	1.34	-	186	3,307,701	2,485,124	-
39042	Wyndmere 42	280	287	6,017,348	20,966	196.31	-	-	196	1,181,266	842,429	-
39044	Richland 44	309	290	4,921,816	16,972	182.71	-	-	183	899,265	689,054	-
40001	Dunseith 1	523	889	1,428,659	1,607	146.99	8.57	-	156	222,814	200,012	-
40003	St John 3	294	501	701,465	1,400	171.07	-	-	171	120,000	98,205	-
40004	Mt Pleasant 4	331	311	3,859,780	12,411	176.25	2.70	-	179	696,708	540,369	-
40007	Belcourt 7	1,763	2,156	295,179	137	-	-	-	-	-	41,325	41,325
40029	Rolette 29	192	223	2,796,854	12,542	175.91	-	-	176	491,995	391,560	-
41002	Minor 2	294	309	3,321,466	10,749	152.94	-	-	153	507,985	465,005	-
41003	N Sargent 3	198	181	2,779,702	15,357	184.19	3.60	-	188	522,000	389,158	-
41006	Sargent Central 6	321	305	6,602,174	21,646	165.43	-	-	165	1,092,198	924,304	-
42016	Goodrich 16	55	55	1,689,408	30,717	185.00	2.06	-	187	316,054	236,517	-
42019	McClusky 19	113	122	2,402,359	19,691	172.71	-	-	173	414,911	336,330	-
43003	Solen 3	153	317	1,398,113	4,410	175.50	-	-	176	245,369	195,736	-
43004	Ft Yates 4	136	-	471,671	#DIV/0!	180.21	-	-	180	85,000	66,034	-
43008	Selfridge 8	58	95	1,302,659	13,712	116.27	-	-	116	151,450	182,372	30,912

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Yuberena J. Lee
Operator's Signature

10-16-03
Date

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Operator's Signature

Date

Yvonne A. Lee 10-16-03

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	TAXVAL	TAXVALP: Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	HSTRAN	GF Levy 3	Current Levy Generated	Min. Levy	Recapture
44012	Marmarth 12	10	26	957,303	36,819	34.47	31.34	-	-	66	53,000	134,022	71,022	
44014	Sheets 14	6	13	396,992	30,538	85.64	7.03	5.04	-	98	38,790	55,579	16,789	
44032	Central Elementary 32	11	37	1,402,155	37,896	24.25	39.23	9.98	-	73	103,002	196,302	93,299	
45001	Dickinson 1	2,717	2,349	27,273,398	8,144	176.51	-	-	-	177	4,814,027	3,818,276	-	
45009	South Heart 9	257	283	2,806,437	9,210	144.49	-	-	-	144	376,604	364,901	-	
45013	Belfield 13	258	234	1,530,901	6,542	154.81	-	-	-	155	236,999	214,326	-	
45034	Richardson-Taylor 34	301	270	4,185,896	15,503	175.33	-	-	-	175	733,913	586,025	-	
46010	Hope 10	145	137	3,444,118	25,140	175.08	-	-	-	175	602,996	482,177	-	
46019	Finley-Sharon 19	164	179	4,201,890	23,474	185.00	-	-	-	185	777,350	588,265	-	
47001	Jamesstown 1	2,542	2,736	27,735,961	10,137	185.00	4.00	-	-	189	5,242,097	3,883,035	-	
47003	Medina 3	151	169	3,108,787	18,395	174.61	-	-	-	175	542,825	435,230	-	
47010	Pingree-Buchanan	156	119	2,939,787	24,704	164.20	-	-	-	164	482,713	411,570	-	
47014	Montpelier 14	116	113	2,312,914	20,468	200.31	-	-	-	200	463,300	323,808	-	
47019	Kensal 19	66	81	2,559,193	31,595	154.86	-	-	-	155	396,317	358,287	-	
47026	Spiritwood 26	11	25	3,020,816	120,833	132.06	-	-	-	132	398,929	422,914	23,985	
48002	Bisbee-Egeland 2	93	99	3,563,017	35,990	157.77	-	-	-	158	562,137	498,822	-	
48008	Southern 8	278	291	4,013,980	13,794	156.95	2.99	-	-	160	641,996	561,957	-	
48028	North Central 28	67	83	2,412,755	29,069	165.66	-	-	-	166	399,697	337,786	-	
49003	Central Valley 3	288	317	5,816,072	18,347	150.45	-	-	-	150	875,028	814,250	-	
49007	Hutton 7	257	270	3,688,907	13,663	169.43	-	-	-	169	625,012	516,447	-	
49009	Hillsboro 9	426	445	8,433,868	18,953	156.99	-	-	-	157	1,324,036	1,180,744	-	
49014	May-Port CG 14	618	631	10,357,790	16,415	185.00	-	-	-	185	1,916,191	1,450,091	-	
50003	Grafton 3	911	968	9,572,538	9,859	197.13	4.13	-	-	201	1,926,569	1,340,155	-	
50020	Minto 20	238	234	3,796,724	16,225	169.62	3.95	-	-	174	658,997	531,541	-	
50039	Lanark 39	56	37	940,848	25,428	172.10	-	7.97	-	180	169,418	131,719	-	
50051	Nash 51	25	36	861,187	23,922	139.34	4.37	-	-	144	123,761	120,566	-	
50078	Park River 78	429	409	5,596,651	13,684	185.00	2.03	-	-	187	1,046,742	783,531	-	
50079	Fordville 79	86	108	1,880,052	17,408	161.44	-	-	-	161	303,516	263,207	-	
50106	Edinburg 106	138	120	1,835,845	15,299	173.50	-	-	-	174	318,519	257,018	-	
50128	Adams 128	91	91	1,906,762	20,953	167.04	-	-	-	167	318,506	266,947	-	
51001	Minct 1	6,905	5,933	65,639,076	11,097	185.00	8.68	-	-	194	12,751,712	9,217,471	-	
51004	Nedrose 4	246	394	4,146,163	10,523	96.47	132.65	-	-	229	949,969	580,463	-	
51007	United 7	618	699	6,008,329	8,556	149.79	-	-	-	150	899,986	841,166	-	

County/ School District Number Name

Enroll Grades K-12 Census Ages 6-17

Taxable Value Pupil Taxable Valuation

TAXVALPP 8,451 13,773 17,620 20,176 7,640 22,647 15,080 30,507 27,183 22,849 16,517 21,691 6,250 21,210 7,792 18,918 19,656 36,049 49,739 13,444

GFLEVY 112.80 176.38 39.48 174.84 177.11 141.80 142.59 169.02 134.11 173.20 181.10 171.56 238.72 181.53 181.36 130.12 175.43 141.22 162.49 191.02

HSTUIT 115.23 94.38 44.67 5.84

H. S. Tuition Levy H. S. Trans. Levy

Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
51010	Bell 10	142	243	2,053,703	8,451	112.80	115.23	9.74	238	488,309	287,518	-
51016	Sawyer 16	152	162	2,231,287	13,773	176.38	-	-	176	393,554	312,380	-
51019	Eureka 19	21	46	810,520	17,620	39.48	94.38	-	134	108,496	113,473	4,977
51028	Kenmare 28	318	326	6,577,339	20,176	174.84	-	-	175	1,149,977	920,823	-
51041	Surrey 41	419	355	2,712,281	7,640	177.11	-	-	177	480,372	379,719	-
51054	Berthold 54	215	175	3,963,222	22,647	141.80	-	-	142	561,985	554,851	-
51070	S Prairie 70	154	193	2,910,436	15,080	142.59	44.67	-	193	562,005	407,461	-
51158	N Shore 158	112	96	2,928,683	30,507	169.02	-	5.84	169	495,006	410,016	-
52025	Fessenden-Bowdon 25	237	273	7,421,086	27,183	134.11	-	-	134	995,242	1,038,952	43,710
52035	Pleasant Valley 3	17	45	1,028,193	22,849	173.20	-	-	173	178,083	143,947	-
52038	Harvey 38	517	500	8,258,319	16,517	181.10	-	-	181	1,495,582	1,156,165	-
52039	Sykes 39	79	73	1,583,456	21,691	171.56	-	-	172	271,658	221,684	-
53001	Williston 1	2,345	2,480	15,499,576	6,250	238.72	-	-	239	3,700,059	2,169,941	-
53002	Nesson 2	179	158	3,351,258	21,210	181.53	-	-	182	608,354	469,176	-
53006	Eight Mile 6	219	184	1,433,645	7,792	181.36	-	-	181	260,006	200,710	-
53008	New 8	224	390	7,377,970	18,918	130.12	60.99	-	191	1,410,004	1,032,916	-
53015	Tioga 15	280	290	5,700,249	19,656	175.43	-	-	175	999,995	798,035	-
53091	Wildrose-Alamo 91	49	55	1,982,697	36,049	141.22	-	-	141	279,996	277,578	-
53099	Grenora 99	65	73	3,630,971	49,739	162.49	-	-	162	589,996	508,336	-
	North Dakota	103,013	105,977	1,424,793,997	13,444	191.02	3.33	0.13	194	277,093,326	199,471,160	2,469,273

NOTE: Shaded rows are districts not expected to receive state aid.

District count	Amount
1	257,877
10	861,469
32	1,349,927
43	2,469,273

Oriska district - one year levy, not expected to continue
 Districts not expected to receive state aid
 Net generated from recapture deduct

Total

Department of Public Instruction

page 7 of 7

4/16/2003 Minimum Levy Recapture.xls jac

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Cherese J. Lee
 Operator's Signature

10-16-03
 Date

Minimum Levy - 145 Revised

Jerry Coleman

4/16/03

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H.S. Tuition Levy	HSTRAN Trans. Levy	GF Levy 3	Current Levy Generated	Min-Levy	Recapture
1013	Hettinger 13	364	369	6,109,358	16,557	152.72	9.91	-	163	993,565	885,857	-
2002	Valley City 2	1,211	1,123	13,714,871	12,213	185.00	4.01	-	189	2,592,248	1,988,656	-
2013	Oriska 13	68	86	1,984,888	23,080	10.08	-	-	10	20,008	287,809	267,801
2052	Litchville 52	89	139	3,454,226	24,851	112.05	-	-	112	387,046	500,863	113,617
2065	N Central 65	158	172	5,894,315	34,269	123.85	-	-	124	730,011	854,676	124,665
2082	Wimbledon-Courtenay 8	163	156	5,459,446	34,996	135.54	-	-	136	739,973	791,620	51,646
3005	Minnewatkan 5	117	90	1,407,419	15,638	181.21	9.60	-	191	268,550	204,076	-
3006	Leeds 6	188	176	4,243,950	24,113	168.48	-	-	168	715,021	615,373	-
3009	Maddock 9	228	210	3,865,702	18,408	164.94	-	-	165	637,609	560,527	-
3016	Oberon 16	50	28	947,518	33,840	100.58	-	-	128	121,292	137,390	16,098
3029	Warwick 29	203	313	1,096,094	3,502	144.15	27.43	-	144	158,002	158,934	932
3030	Ft Totten 30	185	458	95,402	208	185.00	133.12	-	318	30,349	13,833	-
4001	Billings Co 1	73	107	4,866,642	29,142	38.12	-	-	38	185,516	705,663	520,147
5001	Bottineau 1	797	705	8,066,484	11,442	178.02	-	-	178	1,435,995	1,169,640	-
5013	Willow City 13	52	84	1,884,279	22,432	174.60	-	-	175	328,995	273,220	-
5017	Westhope 17	151	154	3,520,991	22,864	149.22	-	-	149	525,402	510,544	-
5035	Lansford 35	32	94	1,729,656	18,401	79.16	108.50	-	188	324,587	250,800	-
5054	Newburg-United 54	79	113	4,915,109	43,497	127.51	0.83	-	128	630,805	712,691	81,886
6001	Bowman 1	425	384	4,553,703	11,859	151.52	-	-	152	689,978	560,288	-
6017	Rhame 17	80	72	2,080,239	28,892	130.27	-	-	130	270,993	301,635	30,642
6033	Scranton 33	176	159	3,444,351	21,653	162.38	-	-	162	559,294	499,431	-
7014	Bowbells 14	102	104	2,890,100	27,789	155.40	-	-	156	452,112	419,065	-
7027	Powers Lake 27	118	128	2,028,286	15,846	185.00	-	-	185	375,233	294,101	-
7036	Burke Central 36	108	101	3,390,806	33,572	120.92	-	-	121	410,016	491,667	81,651
8001	Bismarck 1	10,399	10,494	126,181,449	12,024	236.64	-	-	237	29,859,578	18,296,310	-
8002	Regan 2	9	25	716,339	28,654	76.78	-	-	77	55,001	103,869	48,869
8025	Naughton 25	5	16	230,269	14,392	175.10	13.03	-	188	43,321	33,389	-
8028	Wing 28	77	57	1,930,798	33,874	139.84	-	-	140	270,003	279,966	9,963
8029	Bakair 29	22	49	646,819	13,200	151.95	-	-	152	98,284	93,789	-
8029	Menoken 33	21	71	1,116,493	15,725	161.77	44.78	-	207	230,612	161,891	-
8035	Sterling 35	43	72	1,896,085	26,335	128.78	14.24	-	157	298,178	274,932	-
8039	Apple Creek 39	49	124	1,521,837	12,273	96.60	166.00	-	263	339,634	220,666	-
8045	Manning 45	4	34	181,693	5,344	176.12	99.07	-	275	50,000	26,345	-

4/16/2003 Minimum Levy Recapture.xls jac

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Department of Public Instruction

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Yubereca J. Lee
Operator's Signature

10-16-03
Date

County/ School District Number Name

Enroll. Grades K-12
 Census Ages 6-17
 Taxable Valuation
 Taxable Value Per Pupil
 General Fund Levy
 H. S. Tuition Levy
 H. S. Trans. Levy

Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
9001	Fargo 1	11,095	11,700	165,660,299	14,159	291.80	-	-	292	48,339,675	24,020,743	-
9002	Kindred 2	712	693	10,124,617	14,610	171.29	-	-	171	1,734,246	1,468,069	-
9004	Maple Valley 4	199	232	6,372,897	27,469	136.52	-	-	137	870,028	924,070	54,042
9006	West Fargo 6	5,207	4,771	75,502,025	15,825	185.00	3.82	-	189	14,256,292	10,947,794	-
9007	Mapleton 7	105	216	2,610,721	12,087	140.09	114.78	-	255	665,394	378,555	-
9017	Central Cass 17	841	723	10,920,544	15,104	169.49	-	-	169	1,850,923	1,583,479	-
9080	Page 80	129	117	3,446,015	29,453	169.04	-	-	169	582,514	499,672	-
9097	Northern Cass	457	442	9,807,376	11,293	173.86	-	-	174	1,705,110	1,422,070	-
10014	Border Central 14	33	37	3,149,782	85,129	167.20	-	-	167	526,644	456,718	-
10019	Munich 19	126	136	3,195,645	23,497	139.48	-	-	139	445,729	463,369	17,640
10023	Langdon Area 23	548	644	12,120,769	18,821	149.48	-	-	149	1,811,813	1,757,512	-
11040	Ellendale 40	374	463	6,152,397	13,288	164.57	-	-	165	1,012,500	892,098	-
11041	Oakes 41	519	501	7,320,614	14,612	185.00	1.00	-	186	1,361,634	1,061,489	-
12001	Divide County 1	302	306	6,805,800	22,241	140.76	-	-	141	957,984	986,841	28,857
13008	Dodge 8	47	36	629,167	17,477	185.00	-	-	185	116,396	91,229	-
13016	Kildler 16	365	355	7,132,108	20,090	148.25	-	-	148	1,057,335	1,034,156	-
13019	Halfday 19	79	77	1,978,472	25,694	161.68	-	-	162	319,879	286,878	-
13037	Twin Buttes 37	46	72	23,908	332	-	-	-	-	-	3,467	3,467
14001	New Rockford 1	397	343	5,319,311	15,508	180.76	-	-	181	961,519	771,300	-
14012	Sheyenne 12	115	92	1,528,580	16,615	157.01	-	-	157	240,002	221,644	-
15006	Hazleton-Moffitt-Braddoc	142	153	3,695,447	24,153	156.95	-	-	157	580,000	535,840	-
15010	Bakker 10	8	34	613,544	18,045	85.78	22.88	-	109	66,668	88,964	22,296
15012	Union 12	5	19	579,313	30,490	69.04	22.14	-	91	52,822	84,000	31,179
15015	Strasburg 15	207	190	2,866,318	15,086	127.34	-	-	127	364,997	415,616	-
15036	Linton 36	377	364	5,266,430	14,468	163.72	-	-	164	862,220	763,632	-
16010	Carrington 10	651	627	10,054,966	16,036	161.42	-	-	161	1,623,056	1,457,956	-
17003	Beach 3	341	279	4,012,404	14,381	173.21	-	-	173	694,988	581,799	-
17006	Lone Tree 6	51	65	1,348,544	20,747	114.94	60.81	-	176	237,007	195,539	-
18001	Grand Forks 1	8,008	7,361	90,991,880	12,361	225.51	-	-	226	20,519,579	13,193,823	-
18044	Lanimore 44	573	555	6,634,685	11,954	185.00	-	-	185	1,227,417	962,029	-
18061	Thompson 61	481	517	4,829,527	9,341	160.99	-	-	161	777,506	700,281	-
18125	Manvel 125	175	306	3,271,085	10,690	82.02	101.24	12.12	195	639,105	474,307	-
18127	Emerado 127	98	173	1,869,585	10,807	136.94	68.47	8.22	214	399,399	271,090	-

Department of Public Instruction

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Yubereca d. Lee
 Operator's Signature

10-16-03
 Date

County/ School District Number

Enroll. Grades K-12

Census Ages 6-17

Taxable Valuation

Taxable Value Per Pupil

General Fund Levy

H. S. Tuition Levy

H. S. Trans. Levy

Codist	Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
18128	Mirway 128	323	328	5,576,582	17,002	176.20	-	-	176	982,594	808,604	-
18129	Northwood 129	315	363	5,260,190	14,491	154.37	-	-	154	812,016	762,728	-
19018	Roosevelt 18	124	146	2,195,652	15,039	184.95	6.69	-	192	420,775	318,370	-
19049	Elgin-New Leipzig 49	244	221	4,153,128	18,792	198.54	-	-	199	824,562	602,204	-
20007	Midkota 7	168	201	5,550,888	27,616	187.14	-	-	187	1,038,793	804,879	-
20018	Griggs County Central 11	341	309	5,814,268	18,816	218.80	-	-	219	1,272,162	843,069	-
21001	Moff-Regent 1	294	298	6,574,770	22,063	140.00	-	-	140	920,468	953,342	32,874
21009	New England 9	199	206	4,773,429	23,172	146.65	-	-	147	700,023	692,147	-
22011	Pettibone-Tuttle 11	18	37	1,097,943	29,674	147.43	-	-	147	161,870	159,202	-
22014	Robinson 14	10	31	1,146,135	37,037	167.23	13.07	-	180	207,009	166,480	-
22020	Tuttle-Pettibone 20	58	42	1,292,702	30,779	163.48	-	-	163	211,331	187,442	-
22026	Sieele-Dawson 26	274	204	3,951,225	19,369	160.71	-	-	161	635,001	572,928	-
22028	Tappen 28	110	117	1,592,641	13,612	185.00	-	-	185	294,639	230,933	-
23003	Edgeley 3	260	263	5,424,690	20,626	148.40	-	-	148	805,024	786,580	-
23007	Kulm 7	131	136	4,372,709	32,152	143.52	-	-	144	627,571	634,043	6,472
23008	LaMoure 8	363	346	4,916,920	14,211	156.60	-	-	157	769,990	712,953	-
23009	Marion 9	108	95	2,649,469	27,889	125.61	-	-	126	332,800	384,173	51,373
23011	Verona 11	50	68	1,997,777	29,379	172.69	-	-	173	344,996	289,678	-
24002	Napoleon 2	244	245	3,816,504	15,578	166.38	-	-	166	634,990	553,393	-
24056	Gackle 14	153	169	4,542,394	26,878	121.08	-	-	121	549,993	658,647	108,654
25001	Veira 1	454	361	5,288,239	14,649	137.10	-	-	137	725,018	766,795	41,777
25014	Anamoose 14	83	81	1,852,071	22,865	153.61	-	-	154	284,497	268,550	-
25057	Drake 57	141	134	3,290,243	24,554	143.45	0.98	-	144	475,210	477,085	1,875
25060	TGU 60	373	370	9,729,993	26,297	122.92	-	-	123	1,196,011	1,410,849	214,838
26004	Zeeland 4	60	62	2,631,444	42,443	114.01	-	-	114	300,011	381,559	81,548
26009	Ashley 9	185	179	3,730,752	20,842	152.44	1.93	-	154	575,916	540,959	-
26019	Wishek 19	266	253	3,953,082	15,625	169.79	-	-	170	671,194	573,197	-
27001	McKenzie Co 1	617	661	9,577,054	14,489	144.40	-	-	144	1,382,927	1,388,673	5,746
27002	Alexander 2	80	79	2,772,410	35,094	133.46	-	-	133	370,006	401,999	31,994
27014	Yellowstone 14	54	88	1,478,598	16,802	131.51	39.66	2.50	174	256,788	214,397	-
27018	Earl 18	7	13	467,053	35,927	-	-	-	-	-	-	-
27019	Bowline Butte 19	6	11	441,274	40,116	79.32	15.86	13.60	109	48,002	67,723	67,723
27032	Horse Creek 32	10	13	1,162,210	89,401	27.55	22.37	-	50	58,018	169,520	15,983
												110,503

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

County/ School District Number Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
27036 Mandaree 36	190	264	71,954	273	97.28	-	-	-	97	7,000	10,433	3,434
28001 Montefiore 1	218	216	2,488,865	11,430	178.22	-	-	-	178	440,001	357,985	-
28004 Washburn 4	375	371	4,039,836	10,869	134.29	-	-	-	134	542,510	585,776	43,267
28008 Underwood 8	230	258	4,322,466	16,754	168.89	8.33	-	-	177	766,027	626,758	-
28050 Max 50	179	147	2,736,630	18,617	150.00	-	-	-	150	410,495	396,811	-
28051 Garrison 51	369	324	6,050,409	18,674	180.78	-	-	-	181	1,093,793	877,309	-
28072 Turle Lake-Mercer 72	200	199	3,889,404	19,545	135.18	-	-	-	135	525,770	563,964	38,194
28085 White Shield 85	145	123	260,573	2,118	184.21	-	-	-	184	48,000	37,783	-
29003 Hazen 3	769	736	5,291,078	7,189	182.38	-	-	-	182	964,987	767,206	-
29020 Golden Valley 20	55	65	1,202,614	18,502	112.26	-	-	-	112	133,333	174,379	-
29022 Stanton 22	87	99	983,845	9,938	216.29	-	-	-	216	212,796	142,658	-
29027 Beulah 27	915	948	9,497,146	10,018	185.00	-	-	-	185	1,756,972	1,377,086	-
30001 Mandan 1	3,351	3,704	34,925,429	9,429	167.48	-	-	-	167	5,849,311	5,064,187	-
30004 Little Heart 4	32	38	833,238	21,927	74.41	42.00	6.72	-	123	102,597	120,820	18,223
30007 New Salem 7	354	331	3,742,194	11,306	165.28	-	-	-	165	618,510	542,618	-
30008 Sims 8	39	58	1,521,783	26,238	119.60	42.06	15.11	-	177	269,006	220,659	-
30013 Hebron 13	171	179	3,701,112	20,677	141.85	-	-	-	142	525,003	536,661	11,659
30017 Sweet Briar 17	12	17	337,914	15,877	41.43	17.76	-	-	59	20,001	48,998	28,996
30039 Flasher 39	231	206	3,077,748	14,941	180.33	-	-	-	180	555,010	446,273	-
30048 Glen Ullin 48	210	213	4,009,338	18,823	145.65	-	-	-	146	583,960	581,354	-
31001 New Town 1	761	770	2,466,037	3,203	171.33	-	-	-	171	422,506	357,575	-
31002 Stanley 2	376	359	5,794,864	15,975	181.54	-	-	-	182	1,041,107	831,555	-
31003 Parishall 3	302	336	3,255,892	9,696	178.25	-	-	-	178	580,363	472,104	-
31137 Plaza 137	26	57	1,812,672	31,801	206.54	-	-	-	207	374,389	262,837	-
32001 Dakota Prairie 1	324	434	9,374,272	21,600	184.34	-	-	-	184	1,728,053	1,359,269	-
32066 Lakota 66	264	191	4,445,369	23,274	185.00	-	-	-	185	822,393	644,579	-
33018 Centar 18	248	291	3,714,098	12,763	170.00	-	-	-	170	631,397	538,544	-
34001 Pembina 1	149	157	3,901,182	24,848	173.12	1.62	-	-	175	681,693	565,671	-
34006 Cavalier 6	555	514	8,038,563	15,639	185.00	-	-	-	185	1,487,134	1,165,592	-
34012 Valley 12	158	163	3,572,513	23,350	185.00	13.59	-	-	199	709,465	518,014	-
34019 Drayton 19	209	223	5,516,701	24,739	179.75	-	-	-	180	991,627	799,922	-
34027 Walthalla 27	314	281	4,625,163	16,460	201.01	-	-	-	201	929,704	670,649	-
34043 St Thomas 43	141	144	2,988,946	20,757	185.00	16.73	1.67	-	203	607,952	433,397	-

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Department of Public Instruction

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County/ School District Number	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	GF Levy 3	Current Levy Generated	Min Levy	Recapture
Codist Dname	DENK12	CENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
34055 Neche 55	102	136	3,439,804	25,293	184.53	7.98	-	193	662,197	498,772	-
35001 Wolford 1	60	57	1,602,653	28,117	176.65	-	-	177	283,109	232,385	-
35005 Rugby 5	605	720	9,993,864	13,880	183.86	-	-	184	1,837,472	1,449,110	-
36001 Devils Lake 1	1,906	2,342	16,240,206	6,934	187.41	-	-	187	3,043,577	2,354,830	-
36002 Edmore 2	101	97	4,478,700	46,172	135.53	-	-	136	606,998	649,412	42,413
36044 Starkweather 44	113	105	2,670,626	25,435	153.67	-	-	154	410,395	387,241	-
37002 Shelton 2	40	97	1,419,232	14,631	173.33	35.30	-	209	296,094	205,789	-
37006 Ft Ransom 6	20	40	825,254	20,631	168.14	10.01	-	178	147,019	119,662	-
37019 Lisbon 19	662	576	8,180,251	14,202	181.78	-	-	182	1,487,006	1,186,136	-
37022 Endicott 22	339	300	5,528,626	18,429	179.07	-	-	179	990,011	801,651	-
38002 Sherwood 2	106	111	3,107,788	27,998	149.30	-	-	149	463,993	450,629	-
38009 Mohall 9	248	224	5,186,884	23,156	128.19	-	-	128	664,907	752,098	87,192
38026 Glenburn 26	302	190	3,435,076	18,079	114.84	-	-	115	394,484	498,086	103,602
39005 Mantador 5	11	42	1,357,137	32,313	105.00	35.64	-	141	190,868	196,785	5,917
39008 Hankinson 8	328	279	4,887,194	17,517	185.00	-	-	185	904,131	708,643	-
39018 Fairmount 18	126	118	4,033,122	34,179	156.97	-	-	157	633,079	584,803	-
39028 Lidgerwood 28	236	227	3,479,463	15,328	185.00	-	-	185	643,701	504,522	-
39037 Wahpeton 37	1,519	1,560	17,750,889	11,379	185.00	1.34	-	186	3,367,701	2,573,879	-
39042 Wymore 42	280	287	6,017,348	20,966	195.31	-	-	196	1,181,266	872,515	-
39044 Richland 44	309	290	4,921,816	16,972	182.71	-	-	183	899,265	713,663	-
40001 Dunsaville 1	523	889	1,428,659	1,607	146.99	8.97	-	156	222,814	207,156	-
40003 St John 3	294	501	701,465	1,400	171.07	-	-	171	120,000	101,712	-
40004 Mt Pleasant 4	331	311	3,859,780	12,411	176.25	2.70	-	179	690,708	559,668	-
40007 Belcourt 7	1,763	2,156	295,179	137	-	-	-	-	-	42,801	-
40029 Rolletts 29	192	223	2,796,854	12,542	175.91	-	-	176	491,995	405,544	-
41002 Minor 2	294	309	3,321,466	10,749	152.94	-	-	153	507,985	491,613	-
41003 N Sargent 3	198	181	2,779,702	15,357	184.19	3.60	-	188	522,000	403,057	-
41006 Sargent Central 6	321	305	6,602,174	21,646	165.43	-	-	165	1,092,198	957,315	-
42016 Goodrich 16	55	55	1,689,408	30,717	185.00	2.08	-	187	316,054	244,964	-
42019 McClusky 19	113	122	2,402,359	19,691	172.71	-	-	173	414,911	348,342	-
43003 Solen 3	153	317	1,398,113	4,410	175.50	-	-	176	245,369	202,726	-
43004 Ft Yates 4	136	-	471,671	#DIV/0!	180.21	-	-	180	85,000	68,392	-
43008 Selfridge 8	58	95	1,302,659	13,712	116.27	-	-	116	151,460	186,996	37,425

County/ District Number	School District Name	Enroll. Grades K-12	Census Ages 6-17	Taxable Valuation	Taxable Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
Codist	Dname	DENK12	GENSUS	TAXVAL	TAXVALPP	GFLEVY	HSTUIT	HSTRAN		GF Levy 3	Generated	Min Levy	Recapture
44012	Marmarth 12	10	26	957,303	36,819	34.47	31.34	-	-	66	63,000	138,809	75,809
44014	Sheets 14	6	13	396,992	30,538	85.64	7.03	5.04	-	98	38,790	57,564	18,774
44032	Central Elementary 32	11	37	1,402,155	37,896	24.25	39.23	9.98	-	73	103,002	203,312	100,310
45001	Dickinson 1	2,717	3,349	27,273,398	8,144	176.51	-	-	-	177	4,814,027	3,954,643	-
45009	South Heart 9	257	283	2,606,437	9,210	144.49	-	-	-	144	376,604	377,933	1,329
45013	Belfield 13	258	234	1,530,901	8,542	154.81	-	-	-	155	236,999	221,981	-
45034	Richardson-Taylor 34	301	270	4,185,896	15,503	175.33	-	-	-	175	733,913	606,955	-
46010	Hope 10	145	137	3,444,118	25,140	175.08	-	-	-	175	602,996	499,397	-
46019	Finley-Sharon 19	164	179	4,201,890	23,474	185.00	-	-	-	185	777,350	609,274	-
47001	Jamestown 1	2,542	2,736	27,735,961	10,137	185.00	4.00	-	-	189	5,242,097	4,021,714	-
47003	Medina 3	151	169	3,108,787	18,395	174.61	-	-	-	175	542,825	450,774	-
47010	Pingree-Buchanan	156	119	2,939,787	24,704	164.20	-	-	-	164	482,713	426,269	-
47014	Montpelier 14	116	113	2,312,914	20,468	200.31	-	-	-	200	463,300	335,373	-
47019	Kensal 19	66	81	2,559,193	31,595	154.86	-	-	-	155	396,317	371,083	-
47025	Spiritwood 26	11	25	3,020,816	120,833	132.06	-	-	-	132	398,929	438,018	39,089
48002	Bisbee-Egeland 2	93	99	3,563,017	35,990	157.77	-	-	-	158	562,137	516,637	-
48008	Southern 8	278	291	4,013,980	13,794	156.95	2.99	-	-	160	641,996	582,027	-
48028	North Central 28	69	83	2,412,755	29,069	165.66	-	-	-	166	399,697	349,849	-
49003	Central Valley 3	288	317	5,816,070	18,347	150.45	-	-	-	150	875,028	843,330	-
49007	Hallton 7	257	270	3,688,907	13,663	169.43	-	-	-	169	625,012	534,892	-
49009	Hillsboro 9	426	445	8,433,888	18,953	156.99	-	-	-	157	1,324,036	1,222,914	-
49014	May-Port CG 14	618	631	10,357,790	16,415	185.00	-	-	-	185	1,916,191	1,501,880	-
50003	Grafton 3	911	968	9,572,538	9,889	137.13	4.13	-	-	201	1,926,569	1,388,016	-
50020	Minto 20	238	234	3,796,724	16,225	169.62	3.95	-	-	174	658,997	550,525	-
50039	Larkin 39	56	37	940,848	25,428	172.10	-	7.97	-	180	169,418	136,423	-
50051	Nash 51	25	36	861,187	23,922	139.34	4.37	-	-	144	123,761	124,872	1,111
50078	Park River 78	429	409	5,596,651	13,684	185.00	2.03	-	-	187	1,046,742	811,514	-
50079	Fordville 79	86	108	1,880,052	17,408	161.44	-	-	-	161	303,516	272,608	-
50106	Edinburg 106	138	120	1,835,845	15,299	173.50	-	-	-	174	318,519	266,198	-
50128	Adams 128	91	91	1,906,752	20,953	167.04	-	-	-	167	318,506	276,480	-
51001	Minot 1	6,905	5,933	65,839,076	11,097	185.00	8.68	-	-	194	12,751,712	9,546,666	-
51004	Nedrose 4	246	394	4,146,163	10,523	96.47	132.65	-	-	229	949,969	601,194	-
51007	United 7	618	699	6,008,329	8,596	149.79	-	-	-	150	899,988	871,208	-

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Yuberead J. Lee
Operator's Signature

10-16-03
Date

County/ District Number	School District Name	Enroll. Grades K - 12	Census Ages 6 - 17	Taxable Valuation	Taxable Value Per Pupil	General Fund Levy	H. S. Tuition Levy	H. S. Trans. Levy	HSTRAN	GF Levy 3	Current Levy Generated	Min Levy	Recapture
51010	Bell 10	142	243	2,053,703	8,451	112.80	115.23	9.74		238	438,309	297,787	-
51016	Sawyer 16	152	162	2,231,287	13,773	176.38	-	-		176	393,554	323,537	-
51019	Eureka 19	21	46	810,520	17,620	39.48	94.38	-		134	108,496	117,525	9,029
51028	Kearney 28	318	326	6,577,309	20,176	174.84	-	-		175	1,149,977	953,710	-
51041	Surrey 41	419	355	2,712,281	7,640	177.11	-	-		177	480,372	393,281	-
51054	Berthold 54	215	175	3,963,222	22,647	141.80	-	-		142	561,985	574,667	12,682
51070	S Prairie 70	154	193	2,910,436	15,080	142.59	44.67	5.84		193	562,005	422,013	-
51158	N Shore 158	112	96	2,928,683	30,507	169.02	-	-		169	495,006	424,659	-
52025	Fessenden-Bowdon 25	237	273	7,421,086	27,183	134.11	-	-		134	995,242	1,076,057	80,816
52035	Pleasant Valley 3	17	45	1,028,193	22,849	173.20	-	-		173	178,083	149,088	-
52038	Harvey 38	517	500	8,258,319	16,517	181.10	-	-		181	1,495,582	1,197,456	-
52039	Sykes 39	79	73	1,583,456	21,691	171.56	-	-		172	271,658	229,601	-
53001	Williston 1	2,345	2,480	15,499,576	6,250	238.72	-	-		239	3,700,059	2,247,439	-
53002	Nesson 2	179	158	3,351,258	21,210	181.53	-	-		182	608,354	485,932	-
53006	Eight Mile 6	219	184	1,433,645	7,792	181.36	-	-		181	260,006	207,879	-
53008	New 8	224	390	7,377,970	18,918	130.12	60.99	-		191	1,410,004	1,069,806	-
53015	Triega 15	280	290	5,700,249	19,656	175.43	-	-		175	999,995	826,536	-
53091	Whidrose-Alamo 91	49	55	1,982,697	36,049	141.22	-	-		141	279,996	287,491	7,495
53099	Grenora 99	65	73	3,630,971	49,739	162.49	-	-		162	589,996	526,491	-
	North Dakota	103,013	105,977	1,424,793,997	13,444	191.02	3.33	0.13		194	277,093,326	206,595,130	3,176,515

NOTE: Shaded rows are districts not expected to receive state aid.

District count	Amount
1	267,801
10	930,837
44	1,977,877
55	3,176,515

Oriska district - one year levy, not expected to continue
 Districts not expected to receive state aid
 Net generated from recapture deduct

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Yubereca d. Lee

10-16-03

Formula

Jerry Coleman
hand out

4/16/03

Current Formula (House version)

Equity Formula

Eligibility test (must meet both):

1. Taxable valuation per student below the state average.
2. Cost of education per student below the state average.

Payment formula:

The amount of taxable valuation per student below the state average taxable valuation per student multiplied by the district's ADM multiplied by the number of mills levied over 150 not to exceed 210 mills *multiplied by a 30% factor (limited to legislative appropriation)

New (Senate version)

Equity Formula

Eligibility test (must meet both):

1. Revenue per student less than the state average
Determined by general fund levy times taxable valuation plus tuition, county, state, and unrestricted federal revenue
2. General fund levy must be at least 180 mills

Payment formula:

Determined by ADM times a weighting factor times a rate to distribute the appropriation. The weighting factor is computed by dividing the state average revenue per student by the eligible districts revenue per student.

Current Formula, amended (Conference considerations)

Equity Formula

Eligibility test (must meet both):

1. Modified taxable valuation per student below the state average.
✓ Modified taxable valuation:
Taxable valuation of the school district plus an imputed taxable valuation ^{Federal}
Imputed taxable valuation = sum of all tuition, county and unrestricted revenue sources divided by the general fund levy.
2. Cost of education per student below the state average.

Payment formula:

The amount of taxable valuation per student below the state average taxable valuation per student multiplied by the district's ADM multiplied by the number of mills levied over 150 not to exceed 210 mills *multiplied by a 30% factor (limited to legislative appropriation)

*NOTE: this factor needs to be amended if the appropriation is increased significantly

anything over the 2.2 million
in bill now

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Yvonne J. Lee
Operator's Signature

10-16-03
Date

4-17-03

Helsch distributed

Tom Decker

From: Jay Abernathey [aberj@ndak.net]
Sent: Thursday, April 17, 2003 7:39 AM
To: Jay Abernathey
Subject: reorganization

During the April school board meetings at the respective schools (Glenburn, Lansford, Mohall, and Sherwood) each district has approved the final reorganization draft. This draft is the plan that will be presented to the County Board in May and the State Board in June or July. Once the plan goes to the County Board there can not be any changes made to the Reorganization Plan. If both boards approve our plan then we will have public meetings in September and October and then the patrons from each district will vote on the plan. Once again each individual district must pass the plan for the Reorganization to happen. If the patrons in one district vote it down then the plan will not take place.

Below I have listed a few changes for you to be aware of:

-We changed the plan from a 5 member school board to 9

-The principals will be given their duties after the needs are established by the new board. (Their duties were listed in the old plan)

-Changed the wording for the building fund mill levy. The new board will set the building fund mill levy after they assess the needs of the new district, not to exceed 20 mills. (This gives the new board the flexibility needed to make adjustments as they see necessary.

-Made a word change under the Intended Building Use in the New District. The meaning is still the same but the wording has been changed. Basically after two years the new board will determine the future of Lansford's K-6 and Sherwood's 7-12.

This raps up the update. Now that all 4 districts have approved the final plan we will be contacting the County Boards and set up a meeting with them to present our plan.

Thank you,

Jay Abernathey

1

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Operator's Signature

10-16-03
Date

Maple River Education Coalition
1402 Concordia Avenue
St. Paul, MN 55144
651-646-0646
<http://www.edwatch.org>

April 14, 2003

MN Senate/House Committees Support Saying No to No Child Left Behind (NCLB)

Minnesota took a first step toward seriously scrutinizing the federal education mandates of No Child Left Behind last week. A bi-partisan victory was the result of a House committee hearing last week and a surprise Senate committee hearing on Thursday.

Last Monday, the Minnesota House Education Policy Committee forwarded the following language out of their committee and to the House Education Finance Committee:

"Notwithstanding sections 3.3005, 4.07, and 127A.09, or any other law to the contrary, the department of children, families, and learning or any other state agency must not enter into a contract or other agreement, under the provisions of the No Child Left Behind Act of 2001, with an agency of the federal government, including the department of education, or with a nongovernmental agency." H.P. 1098

At the last minute Senator Bachmann's Senate version of that bill (S.F. 1018) was heard in the Senate Education Policy Committee on Thursday, April 10th.

Senator Bachmann persuaded the other members of the Committee that NCLB may be heading MN toward a financial debacle. She brought forward a Cost Analysis Impact of NCLB by the state of New Hampshire demonstrating that New Hampshire would bring in about \$17 million of new federal money for education, while creating at a minimum \$126.5 million in new financial obligations to the taxpayers. These are considered conservative estimates of new costs. "Actual items will undoubtedly significantly increase local costs," states the New Hampshire report. <http://www.nhsaa.org/pdf/files/ESEAcostimpactan.pdf>

"We hope that this analysis will cause state and federal policy and political leaders to: think through the complete implementation of the law in NH, generate sufficient resources to support the law's required actions and resist forwarding unfunded mandates to local schools, communities and citizens."

The next document Sen. Bachmann brought forward was a resolution by the Hawaii House of Representative, adopted April 2, 2003 to their Congressional delegation. The resolution states:

"An analysis of the fiscal impact of the Act conducted by the Department of Education indicates that the Department will need an additional \$176.3 million in fiscal year 2003-2004 and \$260 million in fiscal year 2004-2005 in order to carry out the purposes of the Act...This shortfall will hinder the State's ability to continue carrying out the goal of the Act."

Both of these documents confirmed the observations many of us have been making about NCLB for a long time. The ensuing Senate committee debate brought forward the following changes to the Bachmann proposal:

The Commissioner is to submit to the legislature by January of 2004 a detailed financial analysis of the projected costs of compliance for the state and

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10-16-03
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local school districts; the amount of new federal money we can expect for those costs; and the financial consequences to the state and each school district of noncompliance with NCLB.

The state consolidated plan that is due to be presented to the federal government by May 1, 2003 must include notification that any MN commitment to implement NCLB expires on June 1, 2004 UNLESS THE LEGISLATURE AFFIRMS ITS IMPLEMENTATION.

Those changes were co-authored by Sen. Bachmann and a Democratic Senator from Minneapolis. With that bi-partisan single-mindedness, the amended language passed the committee unanimously. The Department of Children, Families and Learning testified against the bill, stating that it would make the entire process uncertain.

The Bachmann legislation as amended was then rolled into a Senate education policy omnibus bill which is headed for the Senate Education Finance Committee.

This is a surprise victory, and a beginning of genuine scrutiny of the financial impact of over-reaching federal mandates.

*anyone hired from this
day forward being paid for
with title / money-*

35

teacher determine

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10-16-03
Date

TESTIMONY ON SB 2154
CONFERENCE COMMITTEE

April 21, 2003

by Jerry Coleman, School Finance and Organization
701-328-4051
Department of Public Instruction

Mr. Chairman and members of the committee:

My name is Jerry Coleman and I am the Assistant Director for School Finance and Organization for the Department of Public Instruction. I am here to provide information regarding effective dates in proposed amendment 10 (38241.0349) of Senate Bill 2154.

15.1-27.05

For purposes of determining deductions from state aid under 15.1-27-05, mill levy and taxable valuation data from the most recently completed school year is used.

one yr. behind what schools will use 4 budget purpose

Example for effective date after June 30, 2004		
School Year	Local Levy	State Aid Deduct
2002-03	130	N/A
2003-04	135*	N/A
2004-05	140	135*
2005-06	145	140

* Data for state aid calculations is one year behind data for local levy purposes.

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Operator's Signature

10-16-03
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