

February 7, 2017

PROPOSED AMENDMENTS TO SENATE BILL NO. 2186

Page 1, line 2, after the first "to" insert "the creation of"

Page 1, line 2, replace "pilot" with "education"

Page 1, line 2, remove "to improve student educational"

Page 1, line 3, replace "performance" with "; and to amend and reenact section 15.1-06-08.1 of the North Dakota Century Code, relating to statutory waivers"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 15.1-06-08.1 of the North Dakota Century Code is amended and reenacted as follows:

15.1-06-08.1. Statutes - Waiver.

1. ~~The superintendent of public instruction may not waive any statute, in whole or in part, except as provided for in this section.~~
2. A school or school district may apply to the superintendent of public instruction for a waiver of section 15.1-21-03, ~~provided if~~ the waiver:
 - a. Encourages innovation; and
 - b. Has the potential to result in improved educational opportunities or enhanced academic opportunities for the students.
- ~~3-2.~~ 2. The initial waiver must be for a specific period of time but may not exceed one year. The school district may apply for extensions of the waiver. The first extension may not exceed a period of one year. Additional extensions may not exceed periods of two years.
- ~~4-3.~~ 3. If the superintendent of public instruction, after receipt and consideration of an application for a waiver under this section, approves the waiver, the superintendent shall file a report with the legislative council. The report must provide a detailed account of the reasons for which the waiver was granted and the specific time period for the waiver. If the superintendent of public instruction denies an application for a waiver under this section, the superintendent shall file a notice of denial with the legislative council. If requested, the superintendent shall appear and respond to questions regarding the approval or denial of any application for a waiver under this section.
- ~~5-4.~~ 4. The superintendent of public instruction shall adopt rules governing the submission and evaluation of applications and the monitoring of any school or school district that receives a waiver under this section."

Page 1, line 7, replace "**learning**" with "**education program**"

Page 1, line 7, replace "**Pilot program**" with "**Participation - Reports to legislative management**"

Page 1, line 8, after "1." insert "The superintendent of public instruction shall adopt rules to administer this section and develop criteria for the submission, approval, and evaluation of the proposals and plans under this section.

2."

Page 1, line 8, replace "approve an application" with "accept a proposal"

Page 1, line 9, remove "for a one-year pilot program to improve student educational"

Page 1, replace lines 10 through 12 with ", upon approval by the local school board or governing board, for participation in an innovative education program. The proposal must specify the innovations to be pursued at the school or school district level and the manner in which the proposal will:

- a. Improve the delivery of education;
- b. Improve the administration of education;
- c. Provide increased educational opportunities for students; or
- d. Improve the academic success of students."

Page 1, line 13, replace "2." with "3."

Page 1, line 13, replace "Following" with "The superintendent of public instruction may approve the proposal, reject the proposal, or work with the submitting school to modify the proposal.

4. During"

Page 1, line, 13, after the first "the" insert "school's"

Page 1, line 13, replace "approval of a program and before the end of the one-year pilot" with "year of participation in the innovative education"

Page 1, line 14, replace "may submit" with "shall develop"

Page 1, line 14, replace "to" with "and work with"

Page 1, line 15, after the first "instruction" insert "to ensure the long-term viability of the proposal"

Page 1, line 15, after the underscored period insert:

5."

Page 1, line 15, remove "shall"

Page 1, line 16, remove "assist the school in creating a long-term sustainability plan for the program and"

Page 1, line 17, after the first "the" insert "comprehensive implementation"

Page 1, line 17, replace "to continue the program" with "developed under subsection 4"

Page 1, line 17, after "for" insert "a period of"

Page 1, remove lines 18 through 24

Page 2, replace lines 1 through 6 with "If, due to a change in circumstances, there is a determination by either the school or the superintendent of public instruction that modifications to the comprehensive implementation plan are necessary, the school and the superintendent of public instruction shall work with each other to achieve the necessary modifications.

6. Beginning in the initial year of the implementation of the program, the superintendent of public instruction may provide the school with a waiver of any state statute or rule or provide authorization necessary for implementation of the plan.
7. The superintendent of public instruction may revoke any waiver or authorization granted under this section if the superintendent of public instruction determines the school has failed to perform in accordance with the agreed upon terms of the program or failed to meet the requirements of this section.
8. Any school participating in the program shall provide program evaluation data to the superintendent of public instruction at the time and in the manner requested by the superintendent of public instruction.
9. The superintendent of public instruction shall provide periodic reports to the legislative management regarding the innovative education program."

Renumber accordingly