

**Kirsten Baesler**  
State Superintendent



**NORTH DAKOTA DEPARTMENT OF  
PUBLIC INSTRUCTION**

600 E Boulevard Ave., Dept. 201  
Bismarck, ND 58505-0440  
Phone (701) 328-2260  
Fax (701) 328-2461  
[www.nd.gov/dpi](http://www.nd.gov/dpi)

January 11, 2024

Ms. Liz Fordahl  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard Ave., 2<sup>nd</sup> Floor  
Bismarck, ND 58505-0360

Dear Ms. Fordahl:

I am writing to submit the Notice of Intent to Amend Administrative Rules. We propose to amend 67-10-02 to align the rules with NDCC changes made in SB 2398 of the Special Session of the 68<sup>th</sup> Legislative Assembly, and 67-10-03 to align the rules with NDCC changes made in HB 1161 and SB 2284 of the 68<sup>th</sup> Legislative Assembly.

Unfortunately, we missed the deadline to submit the changes to 67-10-03 to be in compliance of NDCC 28-32-07 (Deadline for Rules to Implement Statutory Change) and have the rules take effect within nine months of HB 1161 and SB 2284 taking effect. Please accept my apology for this, and I ask that we be placed on the agenda for the Administrative Rules Legislative Interim Committee meeting in March to allow us to ask the committee for an extension. Our plan would then be to present the proposed rules changes for 67-10-02 and 67-10-03 to the Administrative Rules Legislative Interim Committee at the meeting in June.

I have included a copy of the proposed rules as required by NDCC 28-32-10(1), as well as the Full Notice of Intent. Please contact me should you have questions.

Sincerely,

Jim Upgren  
Assistant Director  
Office of School Approval and Opportunity  
North Dakota Department of Public Instruction  
701-328-2244  
[jimupgren@nd.gov](mailto:jimupgren@nd.gov)

ND School for the Deaf/RCDHH  
Devils Lake, ND  
(701) 665-4400

ND State Library  
Bismarck, ND  
(701) 328-2492

ND Vision Services/School for the Blind  
Grand Forks, ND  
(701)795-2700

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**FULL NOTICE OF INTENT TO REVISE ADMINISTRATIVE RULES RELATING TO SCHOOL  
CONSTRUCTION LOAN APPLICATION AND LOAN APPROVAL**

TAKE NOTICE that the North Dakota Department of Public Instruction (NDDPI) will hold a public hearing to address proposed changes of N.D. Admin. Codes 67-10, School Construction Loan Application and Loan Approval; at 9:30 AM on Monday, March 4, 2024, in the Peace Garden Room at the State Capitol, 600 E. Boulevard Ave., Bismarck, ND 58505.

The purpose of the proposed changes is to amend 67-10-02, School Construction Loan Application and Loan Approval- Coal Development Trust Fund, to align with changes made to NDCC 15.1-36-02 by SB 2398 of the Special Session of the 68<sup>th</sup> Legislative Assembly; and 67-10-03, School Construction Loan Application and Loan Approval- School Construction Assistance Revolving Loan Fund, to align with changes made to NDCC 15.1-36-08 by HB 1161 and SB 2284 of the 68<sup>th</sup> Legislative Assembly. The proposed rules are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the NDDPI Office of School Approval and Opportunity, ND State Capitol, 600 E. Boulevard Avenue, Bismarck, ND 58505-0440. A copy of the proposed rules may be requested by writing to the above address, to the attention of Jim Upgren, emailing [jimupgren@nd.gov](mailto:jimupgren@nd.gov), or calling 701-328-2244. Written and oral comments may be sent to the above address or telephone number until 5:00 p.m. on Monday, March 18, 2024.

For individuals seeking to attend who will need special facilities or assistance relating to a disability, please contact the NDDPI at the above telephone number or address at least five days prior to the public hearing.

Dated this 25th day of January, 2024.

Jim Upgren, Assistant Director  
Office of School Approval and Opportunity  
North Dakota Department of Public Instruction