

Sixty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2033

Introduced by

Legislative Management

(Higher Education Committee)

1 A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota  
2 Century Code, relating to teacher shortage loan forgiveness; to amend and reenact section  
3 15.1-02-04 of the North Dakota Century Code, relating to the duties of the superintendent of  
4 public instruction; and to provide an appropriation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 15.1-02 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Loans - Teacher shortages - Loan forgiveness.**

- 9 1. The superintendent of public instruction shall administer a student loan forgiveness  
10 program for individuals teaching at grade levels, in content areas, and in geographical  
11 locations identified as having a teacher shortage or critical need. The superintendent  
12 shall adopt rules to implement the program.
- 13 2. The superintendent annually shall identify grade levels, content areas, and  
14 geographical locations in which a teacher shortage or critical need exists.
- 15 3. To be eligible for loan forgiveness under this section, an individual:
- 16 a. Must have graduated from an accredited teacher preparation program and  
17 signed a contract to teach at a grade level or in a content area and in a  
18 geographical location identified by the superintendent as having an existing  
19 teacher shortage or critical need; and
- 20 b. Must have an existing student loan.
- 21 4. For purposes of this section, the definitions of rural school district, distant town school  
22 district, and remote town school district have the same meaning as the definitions  
23 under the national center for education statistics locale codes.

- 1        5. If an individual is receiving loan forgiveness under any other provision, the individual  
2        may not receive loan forgiveness under this section during the same application year.
- 3        6. Subject to legislative appropriations, an eligible individual may receive loan  
4        forgiveness under the program as follows:
- 5        a. If the individual accepts one of up to five positions of critical need or shortage  
6        area identified by the superintendent of public instruction in a nonrural school  
7        district or **nondistant town school district** or nonremote town school district or  
8        special education unit, the individual may receive up to two thousand five  
9        hundred dollars per year for a maximum of four years.
- 10       b. If the individual accepts a position in a rural school district or **distant town school**  
11       **district** or remote town school district or special education unit with an enrollment  
12       of fewer than one thousand students, the individual may receive up to three  
13       thousand seven hundred fifty dollars per year for a maximum of four years.
- 14       c. If the individual accepts one of up to five positions of critical need or shortage  
15       area identified by the superintendent of public instruction in a rural school district  
16       or **distant town school district** or remote town school district or special education  
17       unit with an enrollment of fewer than one thousand students, the individual may  
18       receive up to five thousand dollars per year for a maximum of four years.
- 19       7. The superintendent shall consider all applications under this section based on the  
20       number of unfilled school vacancies, prioritized by critical need and geographic  
21       location.
- 22       8. Upon notification the individual has completed a full year of teaching in a school  
23       district, state-supported school, or nonpublic school in this state at a grade level or in a  
24       content area and in a geographical location identified by the superintendent as one in  
25       which a teacher shortage or critical need exists, the superintendent shall distribute  
26       funds directly to the lending institution of the individual to repay outstanding loan  
27       principal balances on behalf of an eligible applicant. The superintendent shall  
28       terminate loan forgiveness payments to an eligible individual if the loan principal  
29       balance of the eligible individual is paid in full.

30        **SECTION 2. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is  
31        amended and reenacted as follows:

1           **15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30,**  
2 **2023)**

3           The superintendent of public instruction:

- 4           1.    Shall supervise the provision of elementary and secondary education to the students  
5           of this state.
- 6           2.    Shall supervise the establishment and maintenance of schools and provide advice and  
7           counsel regarding the welfare of the schools.
- 8           3.    Shall supervise the development of course content standards.
- 9           4.    Shall supervise the assessment of students.
- 10          5.    Shall serve as an ex officio member of the board of university and school lands.
- 11          6.    Shall keep a complete record of all official acts and appeals.
- 12          7.    As appropriate, shall determine the outcome of appeals regarding education matters.
- 13          8.    Shall direct school district annexation, reorganization, and dissolution and employ and  
14          compensate personnel necessary to enable the state board of public school education  
15          to carry out its powers and duties regarding school district annexation, reorganization,  
16          and dissolution.
- 17          9.    Shall facilitate a process to review and update annually the statewide prekindergarten  
18          through grade twelve education strategic vision. The process must include input and  
19          participation from a steering committee that includes representatives of all state-level  
20          entities receiving state education funding and education stakeholder groups. Each  
21          steering committee member entity receiving state education funds shall provide  
22          components of the entity's strategic plan which are aligned to the statewide strategic  
23          vision. The steering committee shall prepare a collaborative report of the strategic  
24          plans of each committee member entity receiving state education funds. The  
25          superintendent shall provide the collaborative report and any updates to the strategic  
26          vision to the legislative management during each interim and to a joint meeting of the  
27          education standing committees during each regular legislative session.
- 28          10.   Shall administer a student loan forgiveness program for individuals teaching at grade  
29          levels, in content areas, and in geographical locations identified as having a teacher  
30          shortage or critical need.

- 1        11.    Shall facilitate the development and implementation of a North Dakota learning  
2            continuum in collaboration with the department of career and technical education,  
3            upon the recommendation of the kindergarten through grade twelve education  
4            coordination council.
- 5        12.    Shall collaborate with workforce development stakeholders and the kindergarten  
6            through grade twelve education coordination council to determine how best to  
7            integrate computer science and cybersecurity into elementary, middle, and high school  
8            curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the  
9            superintendent shall provide a report to the legislative management regarding the  
10          outcome of this collaboration.

11        **Superintendent of public instruction - Duties. (Effective after June 30, 2023)**

12        The superintendent of public instruction:

- 13        1.    Shall supervise the provision of elementary and secondary education to the students  
14            of this state.
- 15        2.    Shall supervise the establishment and maintenance of schools and provide advice and  
16            counsel regarding the welfare of the schools.
- 17        3.    Shall supervise the development of course content standards.
- 18        4.    Shall supervise the assessment of students.
- 19        5.    Shall serve as an ex officio member of the board of university and school lands.
- 20        6.    Shall keep a complete record of all official acts and appeals.
- 21        7.    As appropriate, shall determine the outcome of appeals regarding education matters.
- 22        8.    Shall direct school district annexation, reorganization, and dissolution and employ and  
23            compensate personnel necessary to enable the state board of public school education  
24            to carry out its powers and duties regarding school district annexation, reorganization,  
25            and dissolution.
- 26        9.    Shall facilitate a process to review and update annually the statewide prekindergarten  
27            through grade twelve education strategic vision. The process must include input and  
28            participation from a steering committee that includes representatives of all state-level  
29            entities receiving state education funding and education stakeholder groups. Each  
30            steering committee member entity receiving state education funds shall provide  
31            components of the entity's strategic plan which are aligned to the statewide strategic

1 vision. The steering committee shall prepare a collaborative report of the strategic  
2 plans of each committee member entity receiving state education funds. The  
3 superintendent shall provide the collaborative report and any updates to the strategic  
4 vision to the legislative management during each interim and to a joint meeting of the  
5 education standing committees during each regular legislative session.

6 10. Shall administer a student loan forgiveness program for individuals teaching at grade  
7 levels, in content areas, and in geographical locations identified as having a teacher  
8 shortage or critical need.

9 11. Shall facilitate the development and implementation of a North Dakota learning  
10 continuum in collaboration with the department of career and technical education,  
11 upon the recommendation of the kindergarten through grade twelve education  
12 coordination council.

13 **SECTION 3. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - TEACHER**

14 **SHORTAGE STUDENT LOAN FORGIVENESS PROGRAM.** There is appropriated out of any  
15 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of  
16 \$3,000,000, or so much of the sum as may be necessary, from which \$200,000 must be  
17 allocated for administrative costs, to the department of public instruction for the purpose of  
18 teacher shortage student loan forgiveness payments, for the biennium beginning July 1, 2023,  
19 and ending June 30, 2025.