

Sixty-eighth  
Legislative Assembly  
of North Dakota

## REENGROSSED SENATE BILL NO. 2380

Introduced by

Senator Davison

1 A BILL for an Act to amend and reenact section 15.1-27-16 of the North Dakota Century Code,  
2 relating to administrative cost-sharing for cooperating districts and special education units; and  
3 to provide an appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-27-16 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating**  
8 **districts and special education units. (Effective through June 30, 2024~~2026~~)**

- 9 1. If any school district receiving payments under this chapter cooperates with another  
10 school district for the joint provision of educational services under a plan approved by  
11 the superintendent of public instruction, the superintendent of public instruction shall,  
12 notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate  
13 weighting factor that allows the cooperating districts to receive, for a period of four  
14 years, a payment rate equivalent to that which each district would have received had  
15 the cooperative plan not taken effect. The superintendent of public instruction shall  
16 compute the separate weighting factor to four decimal places and that weighting factor  
17 is effective for the duration of the cooperative plan.
- 18 2. A school district that is cooperating with another school district under a cooperative  
19 plan approved by the superintendent of public instruction, and which has taxable  
20 property located in the same city as the other school district under the cooperative  
21 plan, may not be required as part of the cooperative plan to:
- 22 a. Provide unduplicated grade level services; or  
23 b. Share administrative personnel.

1           3. If any school district in the state receiving payments under this chapter or any special  
2           education unit in the state cooperates with another school district or special education  
3           unit to jointly employ or contract with ~~both~~ a superintendent ~~and~~or a school district  
4           business manager, or both, or to jointly employ or contract with ~~both~~ a special  
5           education unit director ~~and~~or a special education unit business manager, or both, the  
6           superintendent of public instruction shall provide partial reimbursement of the  
7           ~~combined salariessalary~~ of the superintendent ~~and~~or the school district business  
8           manager, or both, or partial reimbursement of the ~~combined salariessalary~~ of the  
9           special education unit director ~~and~~or the special education unit business manager, or  
10          ~~both~~, as follows:

11          a. If the ~~combined salaries exceed three~~salary exceeds two hundred thousand  
12          dollars, the amount of the reimbursement must be calculated based upon  
13          ~~three~~two hundred thousand dollars. Each cooperating school district or special  
14          education unit shall receive a prorated share of the reimbursement percentages  
15          listed below each year for four years. The prorated reimbursement is based on  
16          the percentage of full-time equivalency that the superintendent ~~and~~or school  
17          district business manager, or both, or the special education unit director ~~and~~or  
18          special education unit business manager, or both, are employed or contracted by  
19          each district or special education unit. The percentage of reimbursement for the  
20          ~~combined salariessalary~~ of the jointly hired superintendent ~~and~~or school district  
21          business manager, or both, or of the jointly hired special education unit director  
22          ~~and~~or special education unit business manager, or both, must be as follows:

- 23          (1) If two schools or special education units are cooperating, ten percent of the  
24                  ~~combined salariessalary~~;
- 25          (2) If three schools or special education units are cooperating, fifteen percent of  
26                  the ~~combined salariessalary~~;
- 27          (3) If four schools or special education units are cooperating, twenty percent of  
28                  the ~~combined salariessalary~~; and
- 29          (4) If five or more schools or special education units are cooperating,  
30                  twenty-five percent of the ~~combined salariessalary~~.

- 1           b. To be eligible for reimbursement under this subsection, the cooperating school  
2           districts or special education units must:
- 3           (1) Have been approved by the superintendent of public instruction and have  
4           implemented their administrative cost-sharing program after June 30, 2022;  
5           and  
6           (2) Submit the ~~salariessalary~~ of the superintendent ~~and~~ school district  
7           business manager, or both, or the ~~salariessalary~~ of the special education  
8           unit director ~~and~~ special education unit business manager, or both, to the  
9           superintendent of public instruction by June first of each year.

10       **Per student payments - Cooperating districts. (Effective after June 30, 2024~~2026~~)**

- 11       1. If any school district receiving payments under this chapter cooperates with another  
12       school district for the joint provision of educational services under a plan approved by  
13       the superintendent of public instruction, the superintendent of public instruction shall,  
14       notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate  
15       weighting factor that allows the cooperating districts to receive, for a period of four  
16       years, a payment rate equivalent to that which each district would have received had  
17       the cooperative plan not taken effect. The superintendent of public instruction shall  
18       compute the separate weighting factor to four decimal places and that weighting factor  
19       is effective for the duration of the cooperative plan.
- 20       2. A school district that is cooperating with another school district under a cooperative  
21       plan approved by the superintendent of public instruction, and which has taxable  
22       property located in the same city as the other school district under the cooperative  
23       plan, may not be required as part of the cooperative plan to:
- 24       a. Provide unduplicated grade level services; or  
25       b. Share administrative personnel.

26       **SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION -**  
27       **COOPERATING SCHOOL DISTRICT AND SPECIAL EDUCATION UNIT ADMINISTRATIVE**  
28       **COST-SHARING REIMBURSEMENT PROGRAM.** There is appropriated out of any moneys in  
29       the general fund in the state treasury, not otherwise appropriated, the sum of  
30       ~~\$100,000~~\$125,000, or so much of the sum as may be necessary, and out of any moneys from  
31       federal funds derived from the elementary and secondary school emergency relief fund, not

- 1 | otherwise appropriated, the sum of \$125,000, or so much of the sum as may be necessary, to
- 2 | the department of public instruction for the purpose of providing administrative cost-sharing
- 3 | reimbursements to eligible cooperating school districts and special education units in the state,
- 4 | for the biennium beginning July 1, 2023, and ending June 30, 2025.