Department 201 - Department of Public Instruction Senate Bill No. 2013

Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2015-17 Executive Budget	99.75	\$1,806,117,367	\$508,463,306	\$2,314,580,673
2013-15 Legislative Appropriations ¹	99.75	1,728,613,325	436,996,759	2,165,610,084
Increase (Decrease)	0.00	\$77,504,042	\$71,466,547	\$148,970,589

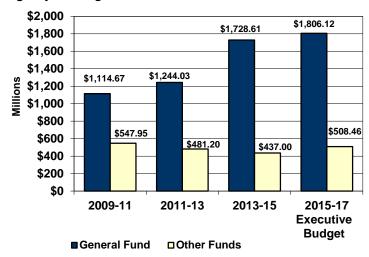
¹The 2013-15 appropriation amounts include a contingent appropriation from the general fund to provide a grant of \$5 million for the construction of a children's science center in Bismarck since general fund revenues exceeded 3.5 percent of the estimated general fund revenues for the period from July 1, 2013, through June 30, 2014, as determined by the Office of Management and Budget. However, the 2013-15 appropriation amounts do not include the following:

- General fund carryover authority totaling \$408,150 continued from the 2011-13 biennium to the 2013-15 biennium for a supplemental assistance payment to a qualifying school district (\$158,150) and a transfer to the Department of Career and Technical Education to provide a grant to an institution implementing a certificate program that prepares individuals with autism spectrum disorder for employment in the technology sector (\$250,000).
- A transfer from the Office of Management and Budget to provide \$2,446 from the general fund for internship stipends.

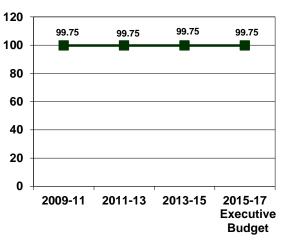
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2015-17 Executive Budget	\$1,791,297,367	\$14,820,000	\$1,806,117,367
2013-15 Legislative Appropriations	1,717,543,325	11,070,000	1,728,613,325
Increase (Decrease)	\$73,754,042	\$3,750,000	\$77,504,042

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2015-17 Executive Budget	\$1,806,117,367	\$508,463,306	\$2,314,580,673
2015-17 Base Level	1,717,543,325	436,996,759	2,154,540,084
Increase (Decrease)	\$88,574,042	\$71,466,547	\$160,040,589

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

Executive Budget Highlights

	General Fund	Other Funds	Total
Salaries and wages			
1. Provides funding for state employee salary and benefit increases, of	\$529,324	\$1,097,367	\$1,626,691

 Provides funding for state employee salary and benefit increases, of which \$842,287 relates to performance increases, \$261,655 is for market equity adjustments, \$436,121 is for health insurance increases, and \$86,628 is for retirement contribution increases

	Provides targeted market equity salary funding for educational program and administrative positions that have experienced recruiting challenges and turnover	\$332,932	\$0	\$332,932
3.	Adds funding to support content positions in math and science. The department anticipates converting current FTE positions.	\$277,351	\$0	\$277,351
	Increases funding for safe and healthy schools unit salaries and wages. Administrative costs of the unit were paid from the funding pool for initiatives line item during the 2013-15 biennium.	\$500,034	\$0	\$500,034
Opera	ating expenses			
	Increases funding for safe and healthy schools unit operating expenses. Administrative costs of the unit were paid from the funding pool for initiatives line item during the 2013-15 biennium.	\$97,640	\$0	\$97,640
6.	Adds funding for a college and career readiness program, including funding for the cost of advanced placement teacher professional development and related expenses	\$250,000	\$0	\$250,000
	Adds funding for maintenance and upgrades to the department's state automated reporting system (STARS) and the department's website. STARS maintenance and development and website updates were paid from the funding pool for initiatives line item during the 2013-15 biennium.	\$160,000	\$0	\$160,000
	Adds funding for the statewide accreditation system paid from the funding pool for initiatives line item during the 2013-15 biennium	\$799,750	\$0	\$799,750
	Adds funding for a principal and teacher evaluation system. Teacher and principal evaluation systems were paid from the funding pool for initiatives line item during the 2013-15 biennium.	\$60,000	\$0	\$60,000
Gran	ts			
10.	Increases funding for integrated formula payments to schools to provide a total of \$1.9 billion, of which \$219,134,000 is from the state tuition fund	\$69,092,000	\$78,808,000	\$147,900,000
11.	Increases funding for special education from \$16.5 million to \$17.3 million	\$800,000	\$0	\$800,000
12.	Increases funding for transportation grants from \$53.5 million to \$60 million	\$6,500,000	\$0	\$6,500,000
13.	Adds funding for principal and teacher evaluation system grants. Teacher and principal evaluation systems were paid from the funding pool for initiatives line item during the 2013-15 biennium.	\$240,000	\$0	\$240,000
14.	Increases funding for an expanded mentoring program to include teachers, principals, and instructional coaches to provide \$3 million from the general fund	\$700,000	\$0	\$700,000
15.	Increases funding for adult education grants to provide a total of \$3,734,411 from the general fund	\$624,000	\$0	\$624,000
16.	Removes funding for CPR grants provided during the 2013-15 biennium	(\$450,000)	\$0	(\$450,000)
17.	Adjusts funding for federal and special fund grants	\$0	(\$7,869,039)	(\$7,869,039)
18.	Increases funding for other general fund grants as follows:	\$121,500	\$0	\$121,500

	General Fund Increase (Decrease)	Total General Fund
Tagahar gantar natiwark		
Teacher center network	\$54,000	\$414,000
LEAD Center	\$7,500	\$267,500
North Dakota Young	20,000	140,000
Entrepreneur education program		
"We the People" program	5,000	25,000
Pathfinders Parent project	15,000	146,106
National writing projects	20,000	193,000
Total general fund	\$121,500	\$1,185,606

19. Removes funding for rapid enrollment grants	(\$13,600,000)	\$0	(\$13,600,000)
20. Provides one-time funding for rapid enrollment grants	\$14,800,000	\$0	\$14,800,000
21. Adds one-time funding for a grant to provide a rural outreach van to the Museum of Art	\$20,000	\$0	\$20,000
Other			
22. Adds funding for PowerSchool costs. The PowerSchool factor in the state school aid formula is eliminated. The requirement that the department forward state school aid related to PowerSchool directly to the Information Technology Department is removed in Section 18 of Senate Bill No. 2013.	\$6,000,000	\$0	\$6,000,000

NOTE: Based on the executive budget supporting documents, the funding source allocation included in Senate Bill No. 2013 should be adjusted to decrease funding from the general fund and increase funding from estimated income by \$597,475.

Other Sections in Bill

School construction loan fund - Section 3 provides for a transfer of \$300 million from the strategic investment and improvements fund to the school construction loan fund for the purpose of providing additional school construction loans.

Tuition apportionment - Section 4 provides that any money available in the state tuition fund in excess of the \$219,134,000 appropriated in Section 1 of the bill is appropriated to the Department of Public Instruction for distribution to school districts.

Payments for 2013-15 biennium educational services - Section 5 provides that the Department of Public Instruction may use money appropriated for integrated formula payments and special education contracts for the 2015-17 biennium to pay claims due during the 2013-15 biennium but not filed with the department until the 2015-17 biennium.

Special education gifted and talented programs - Section 6 provides that the Department of Public Instruction use \$800,000 of the 2015-17 legislative appropriation for integrated formula payments for reimbursing school districts or special education units for gifted and talented programs. The department is to encourage cooperative efforts for gifted and talented programs among school districts and special education units. State school aid payments for special education must be reduced by the amount of matching funds required to be paid by school districts or special education units for students participating in the Medicaid program. Special education funds equal to the amount of the matching funds required to be paid by the school district or special education unit must be paid by the Department of Public Instruction to the Department of Human Services on behalf of the school district or unit.

Regional education association grants - Section 7 provides for the distribution of up to \$800,000 from the integrated formula payments line item for regional education association grants to assist with the cost of compensating coordinators during the 2015-17 biennium. The maximum annual grant to a regional education association is the lesser of \$50,000 or 70 percent of the total compensation of the coordinator.

Transportation grants - Section 8 requires the Department of Public Instruction to distribute transportation aid for the 2015-17 biennium based on the state transportation formula as it existed on June 30, 2001, except that the department is to provide reimbursement at the rate of:

- One dollar and 27 cents per mile for schoolbuses having a capacity of 10 or more passengers.
- Sixty cents per mile for vehicles having a capacity of nine or fewer passengers.
- Sixty cents per mile round trip for family transportation of a student with a disability whose individualized education program plan requires that the student attend a school outside the student's school district of residence.
- Sixty cents per mile one way for family transportation if the student lives more than two miles from the public school the student attends.
- Thirty-two cents per student for each one-way trip.

Section 8 also provides if any funds appropriated for transportation aid for the 2015-17 biennium remain unspent after all statutory obligations are met, the Department of Public Instruction is to prorate and distribute the remaining amounts according to the percentage of the total transportation formula amount to which each school district is entitled.

Rapid enrollment grants - Section 9 provides for the distribution of up to \$14.8 million in one-time funding for rapid enrollment grants. Grants are distributed based on two funding tiers, districts experiencing an increase of at least 4 percent or 150 students and no less than 20 students (Tier 1) and districts experiencing an increase of at least 2 percent or 75 students and no less than 10 students (Tier 2). Section 9 also provides that no more than \$7.4 million may be provided in the first year of the biennium and if funding is not sufficient to provide all of the eligible grants, the department must prorate the payment based on the percentage of the total amount to which the school district is entitled.

Continuing education grants - Section 10 provides for the distribution of up to \$150,000 from the Grants - other grants line item for continuing education grants. Grant awards are in amounts up to \$1,200 per eligible recipient and any funding remaining after grants have been awarded to all eligible recipients must be distributed to school districts as additional per student payments based on latest average daily membership.

Indirect cost allocation - Section 11 provides that, notwithstanding North Dakota Century Code Section 54-44.1-15, the Department of Public Instruction may deposit indirect cost recoveries in its operating account. Section 54-44.1-15 otherwise provides that indirect cost recoveries be deposited in the general fund.

Other grant reporting - Section 13 requires the Department of Public Instruction report to the 2017 Legislative Assembly regarding the cost per participant and outcomes of other grants provided by the department.

State school aid program - Section 16 provides assumptions included in the executive recommendation for integrated formula payments and other grants, including per student payment rates of \$9,482 for the 2015-16 academic year and \$9,767 for the 2016-17 academic year. However, the recommendation of the of interim Education Funding Committee included per student payment rates of \$9,482 for the 2015-16 academic year and \$9,766 for the 2016-17 academic year. The different rate for the 2016-17 academic year should be reconciled. In addition, the section may be eliminated when the recommendation for integrated formula payments is developed by the Legislative Assembly.

Superintendent of Public Instruction salary - Section 17 provides the statutory changes increasing the Superintendent of Public Instruction's salary. The Superintendent of Public Instruction's annual salary is increased from the current level of \$113,498 to \$118,038, effective July 1, 2015, and to \$122,759, effective July 1, 2016, to reflect the 4 percent and 4 percent recommended salary increase.

PowerSchool financial support - Section 18 removes the requirement that the Superintendent of Public Instruction forward the portion of a school district's state aid related to the PowerSchool factor to the Information Technology Department.

School construction loans - Revolving fund - Section 19 amends Section 15.1-36-02 to increase funding deposited in the school construction loan fund. In addition to \$50 million made available from the coal development trust fund beginning in 1979 and \$150 million made available from the strategic investment and improvements fund in 2013, the amendment provides \$300 million is transferred from the strategic investment and improvements fund for a total of \$500 million available for school construction loans. Section 3 provides for the transfer of \$300 million from the strategic investment and improvements fund to the school construction loan fund. In addition, Section 19 provides the additional funding is available only to those school districts that demonstrate an increase in their average daily membership during each of the preceding three school years.

Continuing Appropriations

Instructional materials revolving printing fund - Section 15.1-03-03 - The fund is used for revenues and expenses associated with distributing instructional materials developed and printed by the department.

Displaced homemaker program - Chapter 14-06.1 - The fund is used to provide counseling, guidance, job readiness training, and services for displaced homemakers.

Estimated Turnback

The Department of Public Instruction estimates general fund turnback totaling \$41,461,046 as follows:

- \$36,900,000 Integrated formula payments.
- \$3,661,046 Rapid enrollment grants.
- \$500,000 School district safety grants.
- \$400,000 CPR training grants.

Significant Audit Findings

There were no significant audit findings for the Department of Public Instruction.

Major Related Legislation

House Bill No. 1053 - Centralized Desktop Support Services - Requires all state agencies to obtain centralized desktop support services from the Information Technology Department, except the legislative and judicial branches and other large state agencies, based on the results of a hardware relocation and consolidation study.

House Bill No. 1087 - Civics Test - Requires students to correctly answer at least 60 percent of the questions on a civics test to graduate. A fiscal note prepared by the Department of Public Instruction indicates there is no fiscal impact related to this bill.

House Bill No. 1162 - School District Data and Reports - Relates to school district data and report due dates.

House Bill No. 1168 - School District Declining Enrollment Grants - Provides a general fund appropriation of \$8 million to the Superintendent of Public Instruction for grants to any school district demonstrating declining enrollment during the 2015-17 biennium. The Superintendent of Public Instruction may not expend more than \$4 million in grants under this section during the first year of the biennium.

Senate Bill No. 2031 - State School Aid - Provides the K-12 integrated formula plan recommended by the interim Education Funding Committee for state school aid and property tax relief and provides for a transfer of up to \$225 million from strategic investment and improvements fund to the school construction loan fund. Section 24 of the bill provides for a transfer of \$125 million from the strategic investment and improvements fund to the school construction loan fund for providing school construction loans under Section 15.1-36-02. Section 25 of the bill provides for a contingent transfer, subject to Budget Section approval, of an additional \$100 million from the strategic investment and improvements fund to the school construction loan fund if all available loan funds are committed.

A fiscal note prepared by the Department of Public Instruction indicates a fiscal impact of \$1,991,500,000 for integrated formula payments and PowerSchool funding, of which \$1,772,366,000 is from the general fund and \$219,134,000 is from the state tuition fund. The fiscal note also indicates the fiscal impact of recommendations included in Senate Bill No. 2031 exceed funding provided in the executive recommendation for K-12 integrated formula payments by \$85.5 million.

Senate Bill No. 2048 - Mental Health First-Aid Training - Provides a general fund appropriation of \$50,000 to the Department of Public Instruction for mental health first-aid training for teachers and child care providers.

Senate Bill No. 2087 - Federal Sequestration Offset - Provides a general fund appropriation of \$1,661,207 to the Superintendent of Public Instruction for the 2013-15 biennium to offset the reduction in federal funding for Title I, Part A, of the Elementary and Secondary Education Act of 1965, that resulted from the federal sequestration order for fiscal year 2013.

Senate Bill No. 2088 - Education Foundation - Allows the State Superintendent of Public Instruction to form an education foundation to pursue and distribute private sector funds for use in education-related activities and provide advice and guidance to the Superintendent of Public Instruction regarding the administration and delivery of education in this state, including academic standards, accountability, budgetary and financial matters, managerial and operational matters, and regulatory and legislative matters. A fiscal note prepared by the Department of Public Instruction indicates a fiscal impact of \$36,316 from the general fund related to the compensation and expenses of 11 foundation members.

Senate Bill No. 2089 - North Dakota Academic Scholarship - Allows students to use postsecondary courses offered for credit at an accredited institution of higher education to meet certain eligibility requirements of the North Dakota academic scholarship. A fiscal note prepared by the Department of Public Instruction indicates there is no fiscal impact related to this bill.

Senate Bill No. 2090 - North Dakota Academic Scholarship - Allows students performing at the highest achievement level in statewide assessments of English language arts, mathematics, and science, to meet certain eligibility requirements of the North Dakota academic scholarship and the North Dakota career and technical education scholarship. A fiscal note prepared by the Department of Public Instruction indicates a fiscal impact of \$100,000 from the general fund related to additional students eligible for scholarships.

Senate Bill No. 2092 - School District Reorganization - Relates to school board authority following approval of a reorganization plan.

Senate Bill No. 2103 - Distributions to School Districts in Oil-Producing Counties - Provides an appropriation for the 2013-15 biennium from the strategic investment and improvements fund to the State Treasurer for distributions to counties, cities, school districts, and townships totaling \$845 million, of which \$8,750,000 is to be distributed to school districts in oil-producing counties.

Senate Bill No. 2108 - Compulsory Attendance Age - Relates to the minimum and maximum age of eligibility for school services and compulsory attendance. A fiscal note prepared by the Department of Public Instruction indicates there is no fiscal impact related to this bill.

Senate Bill No. 2151 - Early Childhood Education - Provides \$6 million from the general fund to the Department of Commerce for early childhood education grants and requires the Superintendent of Public Instruction implement a uniform system for the accounting, budgeting, and reporting of data by any early childhood education providers receiving the Department of Commerce early childhood grants.

Department of Public Instruction - Budget No. 201 Senate Bill No. 2013

Base Level Funding Changes

	Executive Budget Recommendation				
	FTE Positions	General Fund	Other Funds	Total	
2015-17 Biennium Base Level	99.75	\$1,717,543,325	\$436,996,759	\$2,154,540,084	
2015-17 Ongoing Funding Changes					
Base payroll changes		\$714,473	(\$569,781)	\$144,692	
Salary increase - Performance		273,337	568,950	842,287	
Salary increase - Market equity		86,346	175,309	261,655	
Retirement contribution increase		28,112	58,516	86,628	
Health insurance increase		141,529	294,592	436,121	
Salary increase - Targeted equity		332,932	201,002	332,932	
Internship stipend		5,038		5,038	
Adjust federal and special fund grants		0,000	(7,869,039)	(7,869,039)	
Increases funding for integrated formula payments		69,092,000	78,808,000	147,900,000	
Increases funding for transportation grants		6,500,000	70,000,000	6,500,000	
Increases funding for special education grants		800,000		800,000	
Adds funding for a college and career readiness program		250,000		250,000	
Adds funding for PowerSchool grants		6,000,000		6,000,000	
Increases funding for expanded mentoring program		700,000		700,000	
Adds funding to support content positions in math and		277,351		277,351	
science		277,551		211,551	
Increases funding for safe and healthy schools unit		597,674		597,674	
Adds funding for maintenance and upgrades to STARS		160,000		160,000	
and website					
Adds funding for the statewide accreditation system		799,750		799,750	
Adds funding for a principal and teacher evaluation		300,000		300,000	
system					
Increases funding for adult education grants		624,000		624,000	
Increases funding for other grants		121,500		121,500	
Removes CPR grants		(450,000)		(450,000)	
Removes rapid enrollment grants		(13,600,000)		(13,600,000)	
Total ongoing funding changes	0.00	\$73,754,042	\$71,466,547	\$145,220,589	
One-time funding items					
Adds funding for rapid enrollment grants		\$14,800,000		\$14,800,000	
Adds funding for Museum of Art rural outreach van		20,000		20,000	
Total one-time funding changes	0.00	\$14,820,000	\$0	\$14,820,000	
Total Changes to Base Level Funding	0.00	\$88,574,042	\$71,466,547	\$160,040,589	
2015-17 Total Funding	99.75	\$1,806,117,367	\$508,463,306	\$2,314,580,673	

Other Sections in Senate Bill No. 2013

School construction loan fund

Section 3 provides for a transfer of \$300 million from the strategic investment and improvements fund to the school construction loan fund for the purpose of providing additional school construction loans.

Executive Budget Recommendation

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Tuition apportionment

Section 4 provides that any money available in the state tuition fund in excess of the \$219,134,000 appropriated in Section 1 of the bill is appropriated to the Department of Public Instruction for distribution to school districts.

Executive Budget Recommendation

Payments for 2013-15 biennium educational services

Section 5 provides that the Department of Public Instruction may use money appropriated for integrated formula payments and special education contracts for the 2015-17 biennium to pay claims due during the 2013-15 biennium but not filed with the department until the 2015-17 biennium.

Special education gifted and talented programs

Section 6 provides that the Department of Public Instruction use \$800,000 of the 2015-17 legislative appropriation for integrated formula payments for reimbursing school districts or special education units for gifted and talented programs. The department is to encourage cooperative efforts for gifted and talented programs among school districts and special education units. State school aid payments for special education must be reduced by the amount of matching funds required to be paid by school districts or special education units for students participating in the Medicaid program. Special education funds equal to the amount of the matching funds required to be paid by the school district or special education unit must be paid by the Department of Public Instruction to the Department of Human Services on behalf of the school district or unit.

Regional education association grants

Section 7 provides for the distribution of up to \$800,000 from the integrated formula payments line item for regional education association grants to assist with the cost of compensating coordinators during the 2015-17 biennium. The maximum annual grant to a regional education association is the lesser of \$50,000, or 70 percent of the total compensation of the coordinator.

Transportation grants

Section 8 requires the Department of Public Instruction to distribute transportation aid for the 2015-17 biennium based on the state transportation formula as it existed on June 30, 2001, except that the department is to provide reimbursement at the rate of:

- One dollar and 27 cents per mile for schoolbuses having a capacity of 10 or more passengers.
- Sixty cents per mile for vehicles having a capacity of nine or fewer passengers.
- Sixty cents per mile round trip for family transportation of a student with a disability whose individualized education program plan requires that the student attend a school outside the student's school district of residence.
- Sixty cents per mile one way for family transportation if the student lives more than two miles from the public school the student attends.
- Thirty-two cents per student for each one-way trip.

Section 8 also provides if any funds appropriated for transportation aid for the 2015-17 biennium remain unspent after all statutory obligations are met, the Department of Public Instruction is to prorate and distribute the remaining amounts according to the percentage of the total transportation formula amount to which each school district is entitled.

Rapid enrollment grants

Section 9 provides for the distribution of up to \$14.8 million in one-time funding for rapid enrollment grants. Grants are distributed based on two funding tiers, districts experiencing an increase of at least 4 percent or 150 students and no less than 20 students (Tier 1) and districts experiencing an increase of at least 2 percent or 75 students and no less than 10 students (Tier 2). Section 9 also provides that no more than \$7.4 million may be provided in the first year of the biennium and if funding is not sufficient to provide all of the eligible grants, the department must prorate the payment based on the percentage of the total amount to which the school district is entitled

Continuing education grants Section 10 provides for the distribution of up to \$150,000 from the Grants other grants line item for continuing education grants. Grant awards are in amounts up to \$1,200 per eligible recipient and any funding remaining after grants have been awarded to all eligible recipients must be distributed to school districts as additional per student payments based on latest average daily membership. Indirect cost allocation Section 11 provides that, notwithstanding North Dakota Century Code Section 54-44.1-15, the Department of Public Instruction may deposit indirect cost recoveries in its operating account. Section 54-44.1-15 otherwise provides that indirect cost recoveries be deposited in the general fund. Other grant reporting Section 13 requires the Department of Public Instruction report to the 2017 Legislative Assembly regarding the cost per participant and outcomes of other grants provided by the department. State school aid program 16 provides assumptions included in the executive recommendation for integrated formula payments and other grants, including per student payment rates of \$9,482 for the 2015-16 academic year and \$9,767 for the 2016-17 academic year. However, the recommendation of the of interim Education Funding Committee included per student payment rates of \$9,482 for the 2015-16 academic year and \$9,766 for the 2016-17 academic year. The different rate for the 2016-17 academic year should be reconciled. In addition, the section may be eliminated when the recommendation for integrated formula payments is developed by the Legislative Assembly. Superintendent of Public Instruction salary Section 17 provides the statutory changes increasing the Superintendent of Public Instruction's salary. The Superintendent of Public Instruction's annual salary is increased from the current level of \$113,498 to \$118,038, effective July 1, 2015, and to \$122,759, effective July 1, 2016, to reflect the 4 percent and 4 percent recommended salary increase. PowerSchool financial support Section 18 removes the requirement that the Superintendent of Public Instruction forward the portion of a school district's state aid related to the PowerSchool factor to the Information Technology Department. School construction loans - Revolving fund

Section 19 amends Section 15.1-36-02 to increase funding deposited in the school construction loan fund. In addition to \$50 million made available from the coal development trust fund beginning in 1979 and \$150 million made available from the strategic investment and improvements fund in 2013, the amendment provides \$300 million is transferred from the strategic investment and improvements fund for a total of \$500 million available for school construction loans. Section 3 provides for the transfer of \$300 million from the strategic investment and improvements fund to the school construction loan fund. In addition, Section 19 provides the additional funding is available only to those school districts that demonstrate an increase in their average daily membership during each of the preceding three school years.

Executive Budget Recommendation