

Fifty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2429

Introduced by

Senators Freborg, Grindberg, G. Nelson

1 A BILL for an Act to create and enact four new sections to chapter 15-21 of the North Dakota
2 Century Code, or in the alternative to create and enact four new sections to chapter 15.1-06 of
3 the North Dakota Century Code, relating to uniform state content criteria for school districts and
4 uniform state student performance measurements; to provide for a legislative council study; and
5 to provide an appropriation.

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

7 **SECTION 1.** If House Bill No. 1034 does not become effective, a new section to
8 chapter 15-21 of the North Dakota Century Code is created and enacted as follows:

9 **Uniform state content criteria - Alternate criteria - Accreditation.**

- 10 1. Beginning with the 2001-02 school year, each school district shall use:
- 11 a. Uniform state content criteria developed by the superintendent of public
12 instruction for the areas of math and English language arts; or
- 13 b. Alternate content criteria selected or developed by the district, provided that
14 the alternate content criteria meet or exceed those developed by the
15 superintendent of public instruction.
- 16 2. Beginning with the 2001-02 school year, any school that does not use either the
17 uniform state content criteria or alternate content criteria in the areas of math and
18 English language arts, as provided for by this section, must be deemed to be
19 unaccredited.

20 **SECTION 2.** If House Bill No. 1034 does not become effective, a new section to
21 chapter 15-21 of the North Dakota Century Code is created and enacted as follows:

22 **Uniform state student performance criteria.** Before the beginning of the 2001-02
23 school year, the superintendent of public instruction shall valid and reliable uniform state
24 student performance criteria for the areas of mathematics and English language arts. A school

district may adopt the state criteria or select or develop alternate student performance criteria, provided the alternate criteria meet or exceed the state criteria.

SECTION 3. If House Bill No. 1034 does not become effective, a new section to chapter 15-21 of the North Dakota Century Code is created and enacted as follows:

Uniform state student performance measurements - Publication of results.

Beginning with the 2001-02 school year, each school district shall use uniform state student performance measurements or locally developed or selected performance measurements to test the knowledge base of all students in grades four, eight, and twelve, in the areas of mathematics and English language arts. The locally developed or selected performance measurements must meet or exceed the state performance criteria. Upon receiving the results of the performance measurements, the board of each school district shall publish that district's individual school profiles in the official newspaper of the district.

SECTION 4. If House Bill No. 1034 does not become effective, a new section to chapter 15-21 of the North Dakota Century Code is created and enacted as follows:

Appeal of superintendent's decision. The superintendent of public instruction shall determine the acceptability of any alternate content criteria, alternate student performance criteria, and alternate student performance measurements permitted by this Act. If any school district is aggrieved by a decision of the superintendent of public instruction, the district may have its alternate criteria or measurements reviewed by a three-member panel consisting of one school district curriculum director appointed by the governor, one school district curriculum director appointed by the superintendent of public instruction, and one dean of a college of education or chairman of a department of education selected jointly by the governor and the superintendent of public instruction. A decision of the panel is final.

SECTION 5. A new section to chapter 15.1-06 of the North Dakota Century Code is created and enacted as follows:

Uniform state content criteria - Alternate criteria - Accreditation.

1. Beginning with the 2001-02 school year, each school district shall use:
 - a. Uniform state content criteria developed by the superintendent of public instruction for the areas of math and English language arts; or

b. Alternate content criteria selected or developed by the district, provided that the alternate content criteria meet or exceed those developed by the superintendent of public instruction.

2. Beginning with the 2001-02 school year, any school that does not use either the uniform state content criteria or alternate content criteria in the areas of math and English language arts, as provided for by this section, must be deemed to be unaccredited.

SECTION 6. A new section to chapter 15.1-06 of the North Dakota Century Code is created and enacted as follows:

Uniform state student performance criteria. Before the beginning of the 2001-02 school year, the superintendent of public instruction shall issue valid and reliable uniform state student performance criteria for the areas of mathematics and English language arts. A school district may adopt the state criteria or select or develop alternate student performance criteria, provided the alternate criteria meet or exceed the state criteria.

SECTION 7. A new section to chapter 15.1-06 of the North Dakota Century Code is created and enacted as follows:

Uniform state student performance measurements - Publication of results. Beginning with the 2001-02 school year, each school district shall use uniform state student performance measurements or locally developed or selected performance measurements to test the knowledge base of all students in grades four, eight, and twelve, in the areas of mathematics and English language arts. The locally developed or selected performance measurements must meet or exceed the state performance criteria. Upon receiving the results of the performance measurements, the board of each school district shall publish that district's individual school profiles in the official newspaper of the district.

SECTION 8. A new section to chapter 15.1-06 of the North Dakota Century Code is created and enacted as follows:

Appeal of superintendent's decision. The superintendent of public instruction shall determine the acceptability of any alternate content criteria, alternate student performance criteria, and alternate student performance measurements permitted by this Act. If any school district is aggrieved by a decision of the superintendent of public instruction, the district may have its alternate criteria or measurements reviewed by a three-member panel consisting of

1 one school district curriculum director appointed by the governor, one school district curriculum
2 director appointed by the superintendent of public instruction, and one dean of a college of
3 education or chairman of a department of education selected jointly by the governor and the
4 superintendent of public instruction. A decision of the panel is final.

5 **SECTION 9. LEGISLATIVE COUNCIL STUDY.** The legislative council shall study a
6 proposed timeline for the implementation of uniform state content criteria in course areas in
7 addition to mathematics and English language arts, with a view to having all course areas
8 addressed within six years, and shall determine appropriate local and state responses when
9 uniform state student performance measurements demonstrate less than acceptable levels of
10 student performance. The legislative council shall report its findings and recommendations,
11 together with any legislation required to implement the recommendations, to the fifty-seventh
12 legislative assembly.

13 **SECTION 10. APPROPRIATION.** There is hereby appropriated out of any moneys in
14 the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so
15 much of the sum as may be necessary, to the superintendent of public instruction for the
16 purpose of developing uniform state content criteria for school districts, for the biennium
17 beginning July 1, 1999, and ending June 30, 2001.