

Sixty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2216

Introduced by

Senator Schaible

Representative Owens

1 A BILL for an Act to amend and reenact sections 15-19-01, 15-19-02, 15-19-02.1, 15-19-04,  
2 15-19-06, and 15-19-08 of the North Dakota Century Code, relating to distance education; and  
3 to repeal section 15-19-03 of the North Dakota Century Code, relating to authorization of  
4 enrollments to the center for distance education by a superintendent of a school.

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

6 **SECTION 1. AMENDMENT.** Section 15-19-01 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **15-19-01. Distance education courses - Establishment - Enrollment of students -**  
9 **Courses of instruction.**

10 The state shall provide ~~distance education kindergarten through grade twelve courses,~~  
11 comprehensive educational support, and high school diplomas through the center for distance  
12 education under the following provisions:

- 13 1. A complete curriculum ~~by distance education which has been specifically determined~~  
14 by prescribed by state-mandated education accreditation entities which meets the  
15 requirements for digital education the superintendent of public instruction as ~~proper~~  
16 ~~and suitable for instruction under distance education methods, such determination and~~  
17 ~~approval to be made not less than once in each school year, must be maintained upon~~  
18 ~~the campus of one of the state institutions of higher education~~ has deemed appropriate  
19 and proper.
- 20 2. ~~Unless specifically excused in writing upon the course application forms by the~~ A  
21 ~~superintendent or an administrator of the~~ a school ~~approving~~ may deny the enrollment  
22 ~~application, or of a student in that district at the center for distance education except~~ as  
23 ~~provided in subsection 5, all students under the age of sixteen taking advantage of the~~  
24 ~~provisions of this chapter must be required to attend their local district schools and to~~

1 study their distance education lessons under the supervision of a local supervisor. If  
2 not required to attend their local schools, their work may be done at a place  
3 designated by the state director. If in attendance at a local school, students must be  
4 supplied with desk space in their respective school without charge and shall attend  
5 school regularly and be under the same disciplinary supervision of the teachers as the  
6 other school students.

7 3. The center for distance education may provide services to persons who are not North  
8 Dakota residents.

9 4. ~~Distance~~Center for distance education students shall pay for books and materials  
10 used by them, postage required to mail reports to the center, and other fees as may  
11 be prescribed by the state director.

12 5. Students exempt from the compulsory school attendance laws pursuant to  
13 subdivision e of subsection 1 of section 15.1-20-02 may enroll in distance education  
14 courses offered through the center for distance education. These students may study  
15 their center for distance education lessons in their learning environment under the  
16 supervision of a parent. ~~The tests for the distance education study must be~~  
17 ~~administered by an individual who is licensed to teach by the education standards and~~  
18 ~~practices board or approved to teach by the education standards and practices board~~  
19 ~~and employed either by the public school district in which the parent resides or a~~  
20 ~~state-approved private or nonpublic school.~~

21 **SECTION 2. AMENDMENT.** Section 15-19-02 of the North Dakota Century Code is  
22 amended and reenacted as follows:

23 **15-19-02. Administration - Director of center for distance education - Appointment**  
24 **and duties.**

25 The program of and all activities related to the center for distance education are the  
26 responsibility of the center for distance education and under the ~~supervision~~authority of the  
27 ~~educational technology council~~state board for career and technical education. The ~~educational~~  
28 ~~technology council shall~~executive director of the department of career and technical education  
29 may hire a state director of administration and staff for the center for distance education who  
30 must be classified under the state personnel merit system. The ~~director~~administration shall carry  
31 out the ~~director's~~administration's responsibilities in the ~~administration of~~administering the center

1 for distance education in the manner approved by the ~~educational technology council~~state  
2 board for career and technical education, under the supervision of the executive director of the  
3 department of career and technical education, and compliant with requirements established by  
4 the superintendent of public instruction and the education standards and practices board for  
5 public school administrators and teachers. The state board for career and technical education  
6 shall administer the responsibilities of the board of a school district relating to the center for  
7 distance education.

8 **SECTION 3. AMENDMENT.** Section 15-19-02.1 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **15-19-02.1. Distance education clearinghouse.**

11 The ~~director of the~~ center for distance education shall establish a clearinghouse for online  
12 courses delivered to North Dakota schools for the purpose of providing:

- 13 1. A list of the online courses and providers for all North Dakota schools to access.
- 14 2. Awareness of online courses available in new and emerging careers.
- 15 3. A list of comparative prices for online courses and other online services.
- 16 4. Awareness of the differences between technological innovation and learning  
17 innovation.

18 **SECTION 4. AMENDMENT.** Section 15-19-04 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **15-19-04. Duty of superintendent - Advertising.**

21 The superintendent or an employee of the department of public instruction designated by  
22 the superintendent shall ensure that the courses offered by the center for distance education  
23 meet state content standards and shall monitor compliance with sections 15.1-18-02 and  
24 15.1-18-03. The center for distance education may advertise its ~~distance~~ education  
25 ~~program~~programs.

26 **SECTION 5. AMENDMENT.** Section 15-19-06 of the North Dakota Century Code is  
27 amended and reenacted as follows:

28 **15-19-06. Special funds - Deposit of collections - Transfers from general fund**  
29 **appropriations.**

- 30 1. A special operating fund for the center for distance education must be maintained  
31 within the state treasury and all income and fees collected by the center for distance

1 education from any source must be remitted monthly by the director to the state  
2 treasurer and credited to the special operating fund. All expenditures from the fund  
3 must be within the limits of legislative appropriations and must be made upon  
4 vouchers, signed and approved by the ~~technology director appointed by the~~  
5 ~~educational technology council~~ executive director for the department of career and  
6 technical education. Upon approval of the vouchers by the office of the budget,  
7 warrant-checks must be prepared by the office of management and budget. ~~The state~~  
8 ~~treasurer shall make periodic transfers upon order of the director of the office of~~  
9 ~~management and budget from the center for distance education general fund~~  
10 ~~appropriation to the special operating fund whenever its balance falls so low as to~~  
11 ~~require supplementation.~~

12 2. ~~The educational technology council may establish an administrative operational fund,~~  
13 ~~of not to exceed ten thousand dollars, out of the special operating fund for the center~~  
14 ~~for distance education. The administrative operational fund must be deposited in the~~  
15 ~~Bank of North Dakota and may be drawn upon by the state director of the center for~~  
16 ~~distance education for the payment of necessary expenses in the administration and~~  
17 ~~operation of the center for distance education within the limits and rules prescribed by~~  
18 ~~the educational technology council. The director shall submit a full, minute, and~~  
19 ~~itemized statement of every expenditure made during the month to the council in~~  
20 ~~accordance with the rules adopted by the council, and thereafter the council may~~  
21 ~~periodically authorize additional transfers to the administrative operational fund, but~~  
22 ~~the balance in the fund may never exceed ten thousand dollars, and any~~  
23 ~~unencumbered balance at the end of any biennium must revert to the state treasury.~~  
24 ~~The administrative operational fund may not be used to pay salaries or expenses of~~  
25 ~~the director.~~

26 3. ~~The educational technology council~~ state board for career and technical education may  
27 establish a scholarship fund to provide financial grants to students enrolled in courses  
28 offered through the center for distance education. The scholarship fund may consist  
29 only of those funds specifically appropriated by the legislative assembly and property  
30 received by the ~~council~~ or the center for distance education as a gift, devise, or  
31 bequest. Any gift, devise, or bequest of property received by the ~~council~~ or center for

1 distance education which is designated by the ~~council~~state board for career and  
2 technical education and donor for the scholarship fund must be deposited in the  
3 scholarship fund at the Bank of North Dakota. The ~~state director of the center for~~  
4 distance education may draw only on the interest earned by the scholarship fund for  
5 the award of scholarships within the limits and rules adopted by the ~~educational-~~  
6 ~~technology council~~state board for career and technical education. The interest earned  
7 by the scholarship fund is appropriated to the center for distance education.

8 **SECTION 6. AMENDMENT.** Section 15-19-08 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **15-19-08. Distance education work.**

11 The amount of money appropriated by the legislative assembly for distance education work  
12 for a biennium, or so much thereof as may be necessary, must be expended first for work by  
13 distance education as determined by the center for distance education and approved by the  
14 state board for career and technical education.

15 **SECTION 7. REPEAL.** Section 15-19-03 of the North Dakota Century Code is repealed.