

SENATE BILL NO. 2317

Introduced by

Senator Klein

1 A BILL for an Act relating to the duties and responsibilities of the superintendent of public
2 instruction.

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

4 **SECTION 1. Authority granted to local school districts and local school boards**

5 All instructional programs offered in the elementary and secondary schools, other than those
6 teaching basic and fundamental academic curriculum, may be offered only if approved by the
7 local school board. Determination of all curriculum content and school programs rests with the
8 board of each school district, including that of electives, if any.

9 **SECTION 2. Duties and limitations.**

- 10 1. The superintendent of public instruction may not mandate that any curriculum or
11 school instructional program be adopted by any board for its school district.
- 12 2. The superintendent of public instruction may not encourage or discourage any
13 school district's or school board's adoption or nonadoption of any program or
14 curriculum through the use of sanctions, withholding of revenue, or any other
15 measure that results in an involuntary compliance.
- 16 3. The superintendent of public instruction shall offer assistance to school boards and
17 school districts when requested and only to the extent the superintendent of public
18 instruction has been funded by the legislative assembly to offer that particular
19 assistance.

20 **SECTION 3. Scope and objectives of public elementary and secondary education.**

21 The legislative assembly has a duty to define the scope and objectives of public elementary and
22 secondary education and provide direction to the superintendent of public instruction in carrying
23 out that scope and those objectives. The legislative assembly sets forth the following

1 elementary and secondary public school objectives and directs the superintendent of public
2 instruction to ensure that they are attained:

- 3 1. Control of schools shall reside with parents and be delegated by parents to the
4 local school or school board.
- 5 2. It is the responsibility of all public schools to teach basic academic curricula.
- 6 3. Academic curricula are defined as:
 - 7 a. Grade 1: Phonics; language arts, including reading, writing mechanics, and
8 spelling; arithmetic, including concepts of numbers and number appreciation;
9 science and health; history; geography; and music, art, and physical
10 education.
 - 11 b. Grade 2: Phonics; language arts, including reading, writing mechanics, and
12 spelling; arithmetic, including concepts of numbers and number appreciation;
13 science and health; history; geography; and music, art, and physical
14 education.
 - 15 c. Grade 3: Phonics; language arts, including reading, writing mechanics, and
16 spelling; arithmetic, including concepts of numbers and number appreciation;
17 science and health; history; geography; and music, art, and physical
18 education.
 - 19 d. Grade 4: Mathematics, including computations and applications; English,
20 including spelling, vocal, poetry, mechanics, and composition; history and
21 people; geography and people; science; logic; and music, art, and physical
22 education.
 - 23 e. Grade 5: Mathematics, including computations and applications; English,
24 including spelling, vocal, poetry, mechanics, composition, and a complete
25 research paper; reading, including literature and comprehension; history,
26 including a research paper; geography, including old world geography and
27 map study; science; logic; and music, art, and physical education.
 - 28 f. Grade 6: Mathematics, including computations and applications; English,
29 including spelling, vocal, poetry, mechanics, composition, and a complete
30 research paper; reading including literature and comprehension; history,
31 including a research paper; geography, including old world geography and of

- 1 lands and people, map study; science; logic; and music, art, and physical
2 education.
- 3 g. Grade 7: Mathematics, including computation, applications, or prealgebra;
4 English, including mechanics, poetry, spelling, vocabulary, and a complete
5 research paper; reading, including literature and comprehension; new world
6 history and geography; science, including a research and science project;
7 music, art, physical education; and logic.
- 8 h. Grade 8: Mathematics, including prealgebra or algebra 1; English, including
9 mechanics, spelling, vocabulary, and poetry; North Dakota history; science,
10 including a science project; geography; and logic and philosophy.
- 11 i. Grade 9: Algebra I or II; English, including literature themes, composition,
12 and grammar; history from beginning to the present; geography; physical
13 science; logic and philosophy; music, art, and physical education; and a
14 foreign language.
- 15 j. Grade 10: Algebra II or geometry; English II, including composition, world
16 literature, and grammar; world history; biology; logic and philosophy; music,
17 art, and physical education; and a foreign language.
- 18 k. Grade 11: Geometry or advanced mathematics; English III, including
19 American literature, composition, and grammar; United States history;
20 chemistry; logic and philosophy; music, art, and physical education; and a
21 foreign language.
- 22 l. Grade 12: Advanced mathematics or calculus; English IV, including
23 composition, English literature, and grammar; economics; history; logic and
24 philosophy; music, art, and physical education; and a foreign language.
- 25 4. All teachers must be fully trained and knowledgeable in their academic subject
26 area when they enter the classroom.
- 27 5. All children must be tested by standardized testing and that standardized testing
28 must be solely based upon academic criteria or other academic criteria evaluations
29 as determined by the parents, assisted by an appropriate diagnostician of the
30 parents' choice. The tests are to assess proper academic progress, as based on
31 the highest-academic benchmark year of 1963.

- 1 6. Education will be right-sized by requiring that 80 percent of all kindergarten through
2 grade 12 expenditures are spent in the classroom.
- 3 7. The state may accept no federal funding that carries mandates except for food
4 service programs; provided the funding provides each recipient school more funds
5 for its food service program than it is required to spend but for the mandates.
- 6 8. Any school may permanently remove any student disruptive to the learning
7 process.
- 8 9. Barring provable criminal neglect or abuse, the control of a child's emotional
9 development, psychological welfare, medical care, sex education, and moral and
10 ethical training belong to parents. Under no circumstances may the public
11 education system intervene in these areas. If such intervention in these areas is
12 deemed necessary, such intervention must be undertaken by an entity unrelated to
13 the public education system of this state. The education system may not become
14 entangled with the provision of health care or psychological care. If these services
15 are to be provided by the state they must be provided apart from the education
16 system.

17 **SECTION 4. Implementation.**

- 18 1. The Superintendent of Public Instruction shall annually prepare a written report for
19 presentation to the Legislative Assembly detailing the status of meeting the
20 objectives set forth in this Act.
- 21 2. All public school districts in North Dakota shall annually inform the legislative
22 assembly in writing how they can better be assisted by the legislative assembly
23 and the Superintendent of Public Instruction in attaining the objectives set out in
24 this enactment.
- 25 3. The full cost of provision of each school's core academic curriculum shall be
26 funded by the state.