

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1231
(Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz)
(Senators Cleary, Davison, Kreun, Myrdal)

AN ACT to amend and reenact sections 15.1-02-04, 15.1-13-35.1, and 15.1-32-26 of the North Dakota Century Code, relating to the creation of a dyslexia and literacy task force, reading instruction competency for teacher licensure, and the dyslexia screening and intervention program; to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory dyslexia screening; to provide for a legislative management report; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-02-04. Superintendent of public instruction - Duties - Report. (Effective through June 30, 2023)

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.
7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.
10. Shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need.

- ~~11. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.~~
- ~~12. Shall collaborate with workforce development stakeholders and the kindergarten through grade twelve education coordination council to determine how best to integrate computer science and cybersecurity into elementary, middle, and high school curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the superintendent shall provide a report to the legislative management regarding the outcome of this collaboration.~~

Superintendent of public instruction – Duties. (Effective after June 30, 2023)

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.
7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.
10. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.
11. Shall appoint a task force in collaboration with the kindergarten through grade twelve education coordination council. The task force shall review all statutes in this code relating to literacy, dyslexia, and related teacher training and report the findings and recommendations of the task force, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 2. AMENDMENT. Section 15.1-13-35.1 of the North Dakota Century Code is amended and reenacted as follows:

15.1-13-35.1. Teaching license - Reading instruction competency.

1. The board shall ensure a candidate for teacher licensure who will be certified to be an early childhood or elementary teacher demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
 - a. Phonemic awareness;
 - b. Phonics;
 - c. Fluency;
 - d. Vocabulary;
 - e. Comprehension;
 - f. How to assess student reading ability; and
 - g. How to identify and correct reading difficulties;
 - h. Scientifically based, evidence-based, and research-based curricula; and
 - i. The use of systematic direct instruction to ensure all students obtain necessary early reading skills.
2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
3. ~~A prekindergarten through grade twelve and a secondary education~~An early childhood and elementary initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
4. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section.

SECTION 3. AMENDMENT. Section 15.1-32-26 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-26. Dyslexia screening and intervention—~~Pilot program~~ - Report to legislative management - Professional development.

1. For purposes of this section:
 - a. "Dyslexia", "dyslexia" means a specific learning disability that is ~~neurological~~neurobiological in origin and characterized by difficulties with accurate or fluent recognition of words and poor spelling and decoding abilities, independent of the individual's general intelligence level.
 - b. ~~"Specialist trained in dyslexia" means an individual who:~~
 - (1) ~~Has expertise providing training in phonological and phonemic awareness, sound and symbol relationships, alphabet knowledge, rapid naming skills, and encoding and decoding skills;~~

- ~~(2) Is fluent in the dyslexia intervention process; and~~
 - ~~(3) Has training in identifying dyslexia.~~
2. ~~Beginning with the 2019-20 school year and continuing through the 2022-23 school year, the~~The superintendent of public instruction shall establish and operate a pilot program to provide guidance and recommendations regarding proven strategies in early screening and intervention services for children with risk factors for dyslexia characteristics, including low phonemic awareness.
3. ~~To be eligible to participate in the program, a~~Each school district, regional education association, or special education unit must submit an application to the superintendent which shall:
 - a. ~~Identifies a method of screening children for low phonemic awareness and other risk factors for dyslexia;~~
 - b. ~~Provides for the enrollment of children identified as having risk factors for dyslexia in a reading program staffed by specialists trained in dyslexia and multisensory structured language programs; and~~
 - c. ~~Includes a methodology for evaluating the effects of the reading program on the identified risk factors of the child.~~
4. Each grantee selected to participate in the program shall:
 - a. ~~Provide low phonemic awareness and other dyslexia risk factor screenings for children under seven years of age through a reading program established under subsection 3; For enrolled children seven years of age and younger, provide a universal screening for dyslexia including core components of phonemic awareness, decoding, and spelling, which must be approved by the superintendent of public instruction;~~
 - b. Include a process to further evaluate identified risk factors;
 - c. Describe the intervention services for the identified dyslexia risk factors;
 - ~~b.d.~~ Provide reading intervention services to students identified as having dyslexia with dyslexia characteristics;
 - ~~c.e.~~ Administer assessments, approved by the superintendent of public instruction, to determine the effectiveness of the program intervention services in improving the reading and learning skills of children enrolled in the program the child; and
 - ~~d.f.~~ Provide professional development on dyslexia identification characteristics and interventions related to phonological and phonemic awareness, sound and symbol relationships, alphabet knowledge, rapid naming skills, and encoding and decoding skills, to grant participants appropriate kindergarten through grade three personnel of the school district and special education unit. Professional development may meet the requirements for continuing education credits for license renewal.
4. A school district or special education unit shall provide a universal screener under subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher.
5. ~~The board of each participating grantee shall report annually to the superintendent of public instruction regarding the operation, results, and effectiveness of the pilot program in a manner prescribed by the superintendent. Before July 1, 2024~~2024, the superintendent of public instruction shall compile the information and provide a report to the legislative management with a recommendation whether to continue the pilot program beyond the 2022-23 school year regarding dyslexia screening and intervention under this section.

SECTION 4. REPEAL. Section 15.1-32-25 of the North Dakota Century Code is repealed.

SECTION 5. EXPIRATION DATE. Section 1 of this Act is effective through December 31, 2024, and after that date is ineffective.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1231.

House Vote: Yeas 88 Nays 5 Absent 1

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State