

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1398

Introduced by

Representatives Lefor, Bosch, Novak, O'Brien, Schreiber-Beck

Senators Rummel, Rust, Vedaa

1 A BILL for an Act to create and enact a new section to chapter 15.1-26 of the North Dakota
2 Century Code, relating to computer science and cybersecurity instruction for adult learners; to
3 amend and reenact sections 15.1-21-01, 15.1-21-02, and 15.1-21-02.2 of the North Dakota
4 Century Code, relating to mandatory computer science and cybersecurity instruction and
5 minimum requirements for high school graduation; and to provide an expiration date.

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

7 **SECTION 1. AMENDMENT.** Section 15.1-21-01 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **15.1-21-01. Elementary and middle schools - Required instruction.**

10 ~~In order to~~To be approved by the superintendent of public instruction, each public and
11 nonpublic elementary and middle school shall ~~provide:~~

12 1. Provide to students instruction in:

13 ~~1.a.~~ English language arts, including reading, composition, creative writing, English
14 grammar, and spelling.

15 ~~2.b.~~ Mathematics.

16 ~~3.c.~~ Social studies, including:

17 ~~a.(1)~~ The United States Constitution;

18 ~~b.(2)~~ United States history;

19 ~~c.(3)~~ Geography;

20 ~~d.(4)~~ Government; and

21 ~~e.(5)~~ North Dakota studies, with an emphasis on geography, history, the federally
22 recognized Indian tribes in the state, and agriculture of this state, in the
23 fourth and eighth grades.

24 4.d. Science, including agriculture.

- 1 ~~5.e.~~ Physical education.
- 2 ~~6.f.~~ Health, including physiology, hygiene, disease control, and the nature and effects
3 of alcohol, tobacco, and narcotics.
- 4 ~~g.~~ Computer science, including cybersecurity.
- 5 2. Develop a computer science and cybersecurity integration plan to ensure introduction
6 to foundational computer science and cybersecurity knowledge. The board of a public
7 school or school district shall approve a plan by July 1, 2024.

8 **SECTION 2. AMENDMENT.** Section 15.1-21-02 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15.1-21-02. High schools - Required units.**

- 11 1. ~~In order to~~To be approved by the superintendent of public instruction, each public and
12 nonpublic high school shall provide instruction in or make available to each student:
- 13 a. Four units of English language arts from a sequence that includes literature,
14 composition, and speech;
- 15 b. Four units of mathematics, including:
- 16 (1) One unit of algebra II; and
- 17 (2) One unit for which algebra II is a prerequisite;
- 18 c. Four units of science, including:
- 19 (1) One unit of physical science; and
- 20 (2) One unit of biology;
- 21 d. Four units of social studies, including:
- 22 (1) One unit of world history;
- 23 (2) One unit of United States history, including Native American tribal history;
- 24 and
- 25 (3) (a) One unit of problems of democracy; or
- 26 (b) One-half unit of United States government and one-half unit of
- 27 economics;
- 28 e. One-half unit of health;
- 29 f. One-half unit of physical education during each school year, provided that once
30 every four years the unit must be a concept-based fitness class that includes

- 1 instruction in the assessment, improvement, and maintenance of personal
2 fitness;
- 3 g. Two units of fine arts, at least one of which must be music;
4 h. Two units of the same foreign or native American language;
5 i. One unit of an advanced placement course or one unit of a dual-credit course;
6 ~~and~~
7 j. Two units of career and technical education from a coordinated plan of study
8 recommended by the department of career and technical education and
9 approved by the superintendent of public instruction; and
10 k. One unit of computer science or cybersecurity.
- 11 2. In addition to the requirements of subsection 1, each public and nonpublic high school
12 shall ~~make~~:
- 13 a. Make available to each student, at least once every two years, one-half unit of
14 North Dakota studies, with an emphasis on the geography, history, and
15 agriculture of this state; and
16 b. Develop a computer science and cybersecurity integration plan to ensure
17 introduction to computer science and cybersecurity knowledge. The board of a
18 public school or school district shall approve a plan by July 1, 2024.
- 19 3. Each unit which must be made available under this section must meet or exceed the
20 state content standards, unless a school district or governing board of a nonpublic
21 high school has adopted a mastery framework policy and awards units based on the
22 successful completion of the relevant portions of the North Dakota learning continuum.
23 A mastery framework policy adopted by a school district or governing board of a
24 nonpublic high school must identify the portions of the North Dakota learning
25 continuum which must be mastered for a student to attain units necessary for high
26 school graduation under section 15.1-21-02.2.
- 27 4. For purposes of this section, unless the context otherwise requires, "make available"
28 means that:
- 29 a. Each public high school and nonpublic high school shall allow students to select
30 units over the course of a high school career from a list that includes at least
31 those required by this section;

- 1 b. If a student selects a unit from the list required by this section, the public high
2 school or the nonpublic high school shall provide the unit to the student; and
- 3 c. The unit may be provided to the student through any delivery method not
4 contrary to state law and may include classroom or individual instruction and
5 distance learning options, including interactive video, computer instruction,
6 correspondence courses, and postsecondary enrollment under chapter 15.1-25.
- 7 5. The board of a school district may not impose any fees or charges upon a student for
8 the provision of or participation in units as provided in this section, other than the fees
9 permitted by section 15.1-09-36.
- 10 6. If in order to meet the minimum requirements of this section a school district includes
11 academic courses offered by a postsecondary institution under chapter 15.1-25, the
12 school district shall:
 - 13 a. Pay all costs of the student's attendance, except those fees that are permissible
14 under section 15.1-09-36; and
 - 15 b. Transport the student to and from the location at which the course is offered or
16 provide mileage reimbursement to the student if transportation is provided by the
17 student or the student's family.
- 18 7. The requirements of this section do not apply to alternative high schools or alternative
19 high school education programs.
- 20 8. The requirements of subdivisions g and h of subsection 1 do not apply to the North
21 Dakota youth correctional center.

22 **SECTION 3. AMENDMENT.** Section 15.1-21-02.2 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **15.1-21-02.2. High school graduation - Minimum requirements. (Effective through**
25 **July 31, 2025)**

- 26 1. Except as provided in section 15.1-21-02.3 and subsection 2, the following twenty-two
27 units of high school coursework constitute the minimum requirement for high school
28 graduation:
 - 29 a. Four units of English language arts from a sequence that includes literature,
30 composition, and speech;

Sixty-eighth
Legislative Assembly

- 1 b. Three units of mathematics, which may include one unit of computer science
- 2 approved by the superintendent of public instruction;
- 3 c. Three units of science, consisting of:
- 4 (1) (a) One unit of biology;
- 5 (b) One unit of chemistry; and
- 6 (c) One unit of physics; or
- 7 (2) (a) One unit of biology;
- 8 (b) One unit of physical science; and
- 9 (c) One unit or two one-half units of any other science which may include
- 10 one unit of computer science or cybersecurity approved by the
- 11 superintendent of public instruction;
- 12 d. Three units of social studies, including:
- 13 (1) One unit of United States history;
- 14 (2) (a) One-half unit of United States government and one-half unit of
- 15 economics; or
- 16 (b) One unit of problems of democracy; and
- 17 (3) One unit or two one-half units of any other social studies, which may include
- 18 civics, civilization, geography and history, multicultural studies, North Dakota
- 19 studies, psychology, sociology, and world history;
- 20 e. (1) One unit of physical education; or
- 21 (2) One-half unit of physical education and one-half unit of health;
- 22 f. Three units of:
- 23 (1) Foreign languages;
- 24 (2) Native American languages;
- 25 (3) Fine arts; or
- 26 (4) Career and technical education courses; and
- 27 g. Any five additional units.
- 28 2. If approved by the board of a school district or nonpublic school, a school district or
- 29 nonpublic school may develop eligibility criteria or programmatic requirements to allow
- 30 a passing score on the relevant portions of the GED assessment to receive credit for
- 31 the corresponding requirements of subdivisions a through d of subsection 1.

1 **High school graduation - Minimum requirements. (Effective after July 31, 2025)**

- 2 1. Except as provided in section 15.1-21-02.3 and subsection 2, the following twenty-two
3 units of high school coursework constitute the minimum requirement for high school
4 graduation:
- 5 a. Four units of English language arts from a sequence that includes literature,
6 composition, and speech;
- 7 b. Three units of mathematics, which may include one unit of computer science
8 approved by the superintendent of public instruction;
- 9 c. Three units of science, consisting of:
- 10 (1) (a) One unit of biology;
- 11 (b) One unit of chemistry; and
- 12 (c) One unit of physics; or
- 13 (2) (a) One unit of biology;
- 14 (b) One unit of physical science; and
- 15 (c) One unit or two one-half units of any other science which may include
16 one unit of computer science or cybersecurity approved by the
17 superintendent of public instruction;
- 18 d. Three units of social studies, including:
- 19 (1) One unit of United States history, including Native American tribal history;
- 20 (2) (a) One-half unit of United States government and one-half unit of
21 economics; or
- 22 (b) One unit of problems of democracy; and
- 23 (3) One unit or two one-half units of any other social studies, which may include
24 civics, civilization, geography and history, multicultural studies, North Dakota
25 studies, psychology, sociology, and world history;
- 26 e. (1) One unit of physical education; or
- 27 (2) One-half unit of physical education and one-half unit of health;
- 28 f. Three units of:
- 29 (1) Foreign languages;
- 30 (2) Native American languages;
- 31 (3) Fine arts; or

- 1 (4) Career and technical education courses; ~~and~~
2 g. Any five additional units; and
3 h. One unit of computer science or cybersecurity whether under subdivision b, c, or
4 both.
5 i. The requirements of subdivision h of subsection 1 are waived if the student has
6 completed a computer science and cybersecurity integration plan approved by
7 the school board.
8 2. If approved by the board of a school district or nonpublic school, a school district or
9 nonpublic school may develop eligibility criteria or programmatic requirements to allow
10 a passing score on the relevant portions of the GED assessment to receive credit for
11 the corresponding requirements of subdivisions a through d of subsection 1.

12 **SECTION 4.** A new section to chapter 15.1-26 of the North Dakota Century Code is created
13 and enacted as follows:

14 **Authority - Adult learning - Computer operations and cybersecurity instruction.**

15 The superintendent of public instruction shall provide grants not to exceed three hundred
16 thousand dollars total to school districts, nonpublic schools, area career and technology
17 centers, job service North Dakota workforce centers, public libraries, adult education centers
18 and learning centers that qualify as nonprofit entities under section 501(c)(3) of the federal
19 Internal Revenue Code [26 U.S.C. 501(c)(3)] to offer computer operations and cybersecurity
20 courses for adults, for the biennium beginning July 1, 2023, and ending June 30, 2025.

21 School districts, nonpublic schools, public libraries, area career and technology centers, job
22 service North Dakota workforce centers, adult education centers and learning centers that
23 qualify as nonprofit entities under section 501(c)(3) of the federal Internal Revenue Code
24 [26 U.S.C. 501(c)(3)] shall use all or part of the grant money to pay a stipend to a teacher of the
25 course.

26 The superintendent of public instruction shall create guidance to implement the grant
27 program.

28 **SECTION 5. EXPIRATION DATE.** Section 4 of this Act is effective through June 30, 2025,
29 and after that date is ineffective.

FISCAL NOTE
HOUSE BILL NO. 1398
LC# 23.0970.02000
02/15/2023

1 - State Fiscal Effect

Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2021-2023 Biennium		2023-2025 Biennium		2025-2027 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$900,000		
Appropriations						

2 - County, City, School District, and Township Fiscal Effect

Identify the fiscal effect on the appropriate political subdivision.

	2021-2023 Biennium	2023-2025 Biennium	2025-2027 Biennium
Counties			
Cities			
School Districts			
Townships			

3 - Bill and Fiscal Impact Summary

Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).

The bill requires schools to teach computer science and cybersecurity courses, and also calls for grants to be available for computer operations and cybersecurity courses for adults.

4 - Fiscal Impact Sections Detail

Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.

There are no additional costs from the general fund associated with this bill. ESSER funds will be used to cover the expenses of getting virtual computer science and cybersecurity courses started, as well as providing grants for adult learning, and is listed above as "other expenses" for the 2023-2025 biennium.

5 - Revenues Detail

For information shown under state fiscal effect in 1 or 2, please explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

No revenue in this bill.

6 - Expenditures Detail

For information shown under state fiscal effect in 1 or 2, please explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

There are no additional costs from the general fund associated with this bill. \$900,000 worth of ESSER funds are listed in "other funds" for expenditures for the 2023-2025 biennium. \$600,000 worth of those ESSER funds will be used to cover the expenses of getting virtual computer science and cybersecurity courses started. The other \$300,000 worth of these ESSER funds will be used to provide grants for adult learning, as described in Section 4 of the bill.

7 - Appropriations Detail

For information shown under state fiscal effect in 1 or 2, please explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.

No appropriations in this bill.

Contact Information

Name: Jim Upgren

Agency: NDDPI

Telephone: 7013282244

Date Prepared: 02/15/2023