

Introduced by

Representatives Morton, Kasper, Maki, Marschall, Osowski, Schauer, Schreiber-Beck,
McLeod, K. Anderson

Senators Boschee, Van Oosting

1 A BILL for an Act to amend and reenact ~~section~~subsection 1 of section 15.1-06-06, sections
2 15.1-07-25.3, and 15.1-07-33 of the North Dakota Century Code, relating to protection of
3 student data; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 15.1-06-06 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 **15.1-06-06. Approval of public schools.**

- 8 1. To obtain certification that a public school is approved, the superintendent of the
9 district in which the school is located shall submit to the superintendent of public
10 instruction a compliance report verifying that:
- 11 a. Each classroom teacher is licensed to teach by the education standards and
12 practices board or approved to teach by the education standards and practices
13 board;
 - 14 b. Each classroom teacher is teaching only in those course areas or fields for which
15 the teacher is licensed or for which the teacher has received an exception under
16 section 15.1-09-57;
 - 17 c. The school meets all curricular requirements set forth in chapter 15.1-21;
 - 18 d. The school participates in and meets the requirements of a review process that
19 is:
 - 20 (1) Designed to improve student achievement through a continuous cycle of
21 improvement; and
 - 22 (2) Approved by the superintendent of public instruction;
 - 23 e. The physical school plant has been inspected by the state fire marshal or the
24 state fire marshal's designee in accordance with section 15.1-06-09 and:

- 1 (1) Has no unremedied deficiency; or
- 2 (2) Has deficiencies that have been addressed in a plan of correction which was
- 3 submitted to and approved by the state fire marshal or the state fire marshal's
- 4 designee;
- 5 f. All individuals hired after June 30, 2011, and having unsupervised contact with
- 6 students at the school, have:
 - 7 (1) Undergone a criminal history background check requested by the employing
 - 8 school district; or
 - 9 (2) Undergone a criminal history background check in order to be licensed by the
 - 10 education standards and practices board or by any other state licensing
 - 11 board; and
- 12 g. The school uses North Dakota eTranscripts, or an alternative information system
- 13 designated by the information technology department in collaboration with the
- 14 superintendent of public instruction, to generate official transcripts.
- 15 h. The school has executed an interagency data sharing agreement with the
- 16 department pursuant to sections 15.1-07-25.3 and 54-59-39 for purposes of
- 17 managing the statewide longitudinal data system.

18 **SECTION 2. AMENDMENT.** Section 15.1-07-25.3 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **15.1-07-25.3. Protection of student data - School district policy.**

- 21 1. The board of each school district shall adopt a policy regarding the protection of
- 22 student data.
- 23 2. The policy must require:
 - 24 a. Require that permission be obtained from the board before any student data is
 - 25 shared with an individual who is not a school district employee or shared with any
 - 26 other entity. This provision does not apply to the sharing of data with a student's
 - 27 parent or to the sharing of data, if as otherwise required by law.
 - 28 b. Permit a school district to share student data with a state entity
 - 29 using managing a student information system or, including the state longitudinal
 - 30 dashboard data system, if the school district and the state entity have entered an
 - 31 interagency data sharing agreement.
- 32 3. The policy must require the school district superintendent to compile:
 - 33 a. A list of all individuals with whom, and entities with which, student data is shared;
 - 34 and

- 1 b. A list, by title, of all school district personnel who have access to student data.
2 4. A school district shall make copies of the policy available upon request.

3 **SECTION 3. AMENDMENT.** Section 15.1-07-33 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **15.1-07-33. Student information system – Exemption.**

- 6 1. Notwithstanding any other technology requirements imposed by the superintendent
7 of public instruction or the information technology department, each school district
8 shall implement the state student information system administered by the information
9 technology department and use it as its principal student information system and
10 shall enter an interagency data sharing agreement with the department. Each school
11 district shall use a state course code, assigned by the department of public
12 instruction, to identify all local classes in the state student information system.
13 2. The ~~statewide longitudinal data system committee~~ superintendent may exempt a
14 school district from having to implement and utilize the state student information
15 system if the school district demonstrates that:
16 a. The district has acquired and is using a student information system determined to
17 be compatible with the statewide longitudinal data system; or
18 b. In accordance with requirements of the bureau of Indian education, the district
19 has acquired and is utilizing a student information system that is determined to be
20 comparable by the superintendent.

21 **SECTION 4. EFFECTIVE.** This Act becomes effective on July 1, 2026.