

CONCERNED
WOMEN *for* AMERICA
LEGISLATIVE ACTION COMMITTEE

March 12, 2025
House Education Committee
Testimony in Support of SB 2104

Chairman Pat Heinert and members of the House Education Committee, I am Linda Thorson, State Director for Concerned Women for America (CWA) of North Dakota. My background is in education. I served as a speech-language pathologist in the public-school systems for 26 years and received the 2015 Council for Exceptional Children Teacher of the Year Award.

Today, I am testifying for CWA Legislative Action Committee in support of [SB 2104](#). As our state's largest public policy women's organization, we strongly support the provisions in the bill as it meets the goal of providing quality education to a level of excellence in academic achievement.

As you may recall, during the 68th Legislative Session, state lawmakers passed Century Code 15.1-21-28 (NDCC), which impacts middle and high school health education regarding growth and development and human sexuality curriculum.

ND Century Code 15:1-21-28 requires a high-definition ultrasound video, at least three minutes in duration, showing the development of the brain, heart, sex organs, and other organs in early fetal development. The video must contain high-quality, computer-generated rendering or animation showing the process of fertilization and every stage of development in the uterus, noting significant markers in growth and organ development for every week of pregnancy until birth.

The great majority of legislators voted in favor of making scientific technology a requirement for classroom presentations about life in the womb. [Eighty percent or more](#) of both Legislative Bodies voted in favor of [HB 1265](#), which was signed into law by Gov. Doug Burgum in the spring of 2023.

Part of the bill also required "The superintendent of public instruction shall ensure that the requirements of this section are included in the North Dakota health content standards." In compliance with the law, the North Dakota Department of Public Instruction (NDDPI) released comprehensive guidance in the document titled [ND Health Standards Changes](#).

The 2023 bill, HB 1265, did not, however, authorize the North Dakota Department of Public Instruction to collect information or conduct investigations regarding compliance with the new requirements. Therefore, they are not able to do so.

Through personal inquiries, I have found that some health teachers are unaware of the changes made to the Health Standards in 2023. Perhaps the majority of teachers are following the guidelines. However, currently, there is no comprehensive way to know whether or not teachers are aware of the requirement to show a high-definition video of human growth and development in the womb in health class.

It is worth noting that the North Dakota Department of Public Instruction (NDDPI) requires the [Annual Compliance Assurance document](#) to be completed and signed by every public and nonpublic principal and superintendent to certify compliance with all state and federal laws. The document highlights the words, “The Annual Compliance Report is extremely critical. It certifies that your school (public or nonpublic) is approved.” Section 3 of the document entitled, *Curriculum Pre-K-12* states, “The school meets all curricular requirements set forth in Chapter 15.1-21.” By signing, administrators confirm adherence to [NDCC 15.1-21-28](#) and all other education laws.

For school district administrators who provide false statements in violation of the law, [SB 2104](#) ensures NDDPI provides corrective action within thirty days after a written warning, followed by possible sanctions against the school district for that school year from payment distribution. See page 4 of the bill, lines 21-24.

In conclusion, on January 8, 2025, [Superintendent of Public Instruction Kirsten Baesler](#) provided the House and Senate Joint Education Committee Members an overview of the Department of Instruction. She said,

“As we kick off this legislative session, we just really want to have you know that we are an extension of the work that you do. However we can help you ...” She added, “Our job is to make sure our students, one hundred and thirty thousand of them, now in K-12th grade age, in the state of ND, (are) experiencing a variety of delivery methods and models of education. That’s the reason we come to the capitol to make sure they can graduate choice-ready and be successful, and that’s the work that you all do.”

SB 2104 is the agent NDDPI needs to be the extension of the work that the legislative body did in the last session. CWA strongly supports lawmakers’ efforts and believes this bill will communicate the priorities of legislators and the governor of North Dakota when the growth and development and human sexuality curriculum bill was signed into law in 2023.

CWA Legislative Action Committee urges a “Do Pass” on SB 2104.