

Introduced by

**NORTH DAKOTA CENTURY CODE CHAPTER 15.1-21 -
COURSES AND CURRICULA**

Chapter 15.1-21 of the North Dakota Century Code is created and enacted as follows:

15.1-21-01. Education of students - Requirements. The superintendent of public instruction shall ensure that students receive education in:

1. English language arts, including reading, composition, creative writing, English grammar, and spelling.
2. Mathematics.
3. Social studies, including United States history, geography, government, and the Constitution.
4. Science, including agriculture.
5. Physical education.
6. Health, including physiology, hygiene, disease control, and the nature and effects of alcohol, tobacco, and narcotics.

NOTE: Present Sections 15-38-07, 15-38-08, and 15-38-09. Present Section 15-38-07 purports to set forth required subjects. In effect, it lists both courses and subject matter. The 1999-2000 Education Services Committee directed that Legislative Council staff work with Department of Public Instruction staff to clarify the section and modernize the terminology.

Present Section 15-38-10 provides that "[m]oral instruction tending to impress upon the minds of pupils the importance of truthfulness, temperance, purity, public spirit, patriotism, international peace, respect for honest labor, obedience to parents, and deference to old age, must be given by each teacher in the public schools." When introduced in 1890, the verbiage was part of what is rewritten as Section 15.1-21-08 (Reading of Bible - Optional). The verbiage was given its own section in 1911. Because it is a directive for what must be taught, it was first included in this section of the rewrite. However, with the reconfiguration of this section, coupled with the fact that moral instruction does not fit the parameters of a "course," e.g., science, mathematics, it is omitted from this section, pending further instruction by the committee.

15.1-21-02. High schools - Required units. In order to be approved by the superintendent of public instruction, each public and nonpublic high school shall make available to each student:

1. Four units of English.
2. Three units of mathematics.
3. Four units of science.
4. Three units of social studies, including one of world history and one of United States history, both of which must emphasize geography.
5. One unit of health and physical education.
6. One unit of music.
7. Any six units selected from business education, economics and the free enterprise system, foreign language, American sign language, industrial arts, and vocational courses including family and consumer sciences, agriculture, business and office technology, marketing, diversified occupations, trade and industrial education, technology education, and health careers. The vocational courses may be offered through cooperative arrangements approved by the state board for vocational and technical education.

NOTE: Present Section 15-41-24. The rewrite modernizes terminology for the vocational courses. At the direction of the 1997-98 interim Education Services Committee, it also eliminates the reference to a "strong" geography component. The reference to American sign language as an allowable elective was taken from present Section 15-41-28.

15.1-21-03. High school unit - Instructional time. Each unit, other than a natural science unit, must consist of at least one hundred twenty hours of instruction per school year. Each natural science unit must consist of at least one hundred fifty hours of instruction per school year.

NOTE: Present Section 15-41-06. The concept of a high school unit is one of multiple concepts presently found in Section 15-41-06. At the request of the committee, it is placed in its own section.

15.1-21-04. Minimum high school courses - Alternative curriculum plans.

1. Except as otherwise provided in this section, each student shall enroll in at least four units of high school work in each grade from nine through twelve.
2. A student in grade twelve may enroll in fewer than four units of work, provided:
 - a. The student requires fewer than four units of work for graduation; and

- 1 b. The board of the school district has adopted an alternative high school senior
- 2 curriculum plan.
- 3 3. An alternative high school senior curriculum plan becomes effective if:
- 4 a. It is adopted by action of the school board;
- 5 b. It contains specific criteria under which a high school senior may enroll in
- 6 fewer than four units of work; and
- 7 c. It has been submitted to and approved by the superintendent of public
- 8 instruction.

NOTE: Present Section 15-41-06. The rewrite of this section omits the following sentence: "The work which is done by pupils in any school which does not conform to the requirements contained in this section may not be accredited by the superintendent of public instruction through state high school examinations or otherwise." The Superintendent of Public Instruction does not "accredit" the work of students through "state high school examinations or otherwise."

- 9 **15.1-21-05. Indian education curriculum.** The superintendent of public instruction
- 10 may develop an Indian education curriculum to be implemented within the minimum curriculum
- 11 requirements for elementary and secondary schools. The superintendent shall provide for
- 12 continuing research and evaluation and for inservice training necessary to implement an Indian
- 13 education curriculum.

NOTE: Present Section 15-21-09.1. The 1997-98 interim Education Services Committee determined that this section should be included in a chapter governing school curricula.

- 14 **15.1-21-06. Goals 2000 - Participation voluntary.** The board of a school district may
- 15 choose to participate or not to participate in Goals 2000 Educate America Act [Pub. L. 103-227;
- 16 108 Stat. 125; 20 U.S.C. 5801 et seq.]. A board that chooses to participate and directly or
- 17 indirectly receives federal funds for its participation shall expend the funds in the manner it
- 18 determines best meets the goal of educational enhancement in the school district, in
- 19 accordance with the district's locally developed goals 2000 educational improvement
- 20 application plan. The superintendent of public instruction may not impose any financial penalty
- 21 or other sanction on a school or school district if the school board chooses, at any time, to
- 22 terminate participation in goals 2000.

NOTE: Present Section 15-29-08.5.

- 23 **15.1-21-07. School-to-work - Student participation voluntary.** Before an elementary
- 24 or secondary school student may participate in any course, program, or project offered under

1 the auspices of the School-to-Work Opportunities Act of 1994 [Pub. L. 103-239; 108 Stat. 568;
2 20 U.S.C. 2394 et seq.], the student's school principal shall obtain the written consent of the
3 student's parent or legal guardian. Participation by a student is voluntary and may not be
4 deemed a condition of graduation. Neither school personnel, school district personnel, nor the
5 superintendent of public instruction may impose any academic penalties or any other sanctions
6 on a student for failure to participate. A student's participation in a course, program, or project
7 offered under the auspices of the School-to-Work Opportunities Act of 1994 is subject to all
8 state and federal child labor laws.

NOTE: Present Section 15-29-08.6.

9 **15.1-21-08. Reading of Bible - Optional.** The Bible may not be deemed a sectarian
10 book. At the option of a teacher, the Bible may be read in class for up to ten minutes each day.
11 No person may make a sectarian comment on the passages read. A teacher may not require a
12 student to be present in class when the Bible is being read and may not require that a student
13 read the Bible if doing so is contrary to the wishes of the student's parent.

NOTE: Present Section 15-38-12. This section was enacted in 1890 and has not been amended since 1913. It has the potential to raise some significant First Amendment issues.