

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Tuesday, the fifth day of January,
one thousand nine hundred and ninety-nine**

SENATE BILL NO. 2199
(Senators Kilzer, B. Stenehjem, Wanzek)
(Representatives Carlisle, Carlson, R. Kelsch)

AN ACT to create and enact a new section to chapter 15-34.1 of the North Dakota Century Code, relating to participation in extracurricular activities by students receiving home education; to amend and reenact subsection 4 of section 15-34.1-06 of the North Dakota Century Code, relating to home education; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 15-34.1-06 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. Every parent supervising home education shall maintain an annual record of courses taken by the child and the child's academic progress assessments, including any standardized achievement test results. A parent shall furnish these records to any school to which the child may transfer upon request of the superintendent or other administrator of that public school district. A parent intending to supervise home education for the parent's child shall file an annual statement with the superintendent of the public school district in which the child resides. If the school district does not employ a local school superintendent, the statement must be filed with the county superintendent of schools for the county of the child's residence. The statement must be filed at least fourteen days prior to the beginning of home education or within fourteen days of establishing the child's residency within the district. The statement must include:
 - a. The names and addresses of the parent who will supervise and the child who will receive home education;
 - b. The date of birth and grade level of each child receiving home education;
 - c. The intention of the parent to supervise home education;
 - d. The qualifications of the parent who will supervise home education;
 - e. A list of courses or extracurricular activities in which the child intends to participate in the public school district in which the child intends to enroll and the public school district offering the courses;
 - f. A list of extracurricular activities in which the child intends to participate and the public school district or approved nonpublic school offering the activities;
 - g. Proof of an immunization record as it relates to section 23-07-16; and
 - g- h. Proof of identity as it relates to section 54-23.2-04.2.

SECTION 2. A new section to chapter 15-34.1 of the North Dakota Century Code is created and enacted as follows:

Home education - Participation in extracurricular activities.

1. A child receiving home education may participate in extracurricular activities either:
 - a. Under the auspices of the child's school district of residence; or

- b. Under the auspices of an approved nonpublic school, if permitted by the administrator of the school.
- 2. For purposes of this section, a child participating under the auspices of the child's school district of residence is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the district.
- 3. For purposes of this section, a child participating under the auspices of an approved nonpublic school is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the school.
- 4. Once a child's parent has selected the public school district or the approved nonpublic school in which the child will participate for purposes of extracurricular activities, and has provided notification of the selection through the statement required by subsection 4 of section 15-34.1-06, the child is subject to the transfer rules as provided in the constitution and bylaws of the North Dakota high school activities association.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2199 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 48 Nays 0 Absent 1

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 96 Nays 0 Absent 2

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at ___ o'clock _____ M.

Secretary of State