

HOUSE BILL NO. 1293

Introduced by

Representatives Berg, Haas, R. Kelsch, L. Thoreson

Senators Freborg, G. Nelson

1 A BILL for an Act to create and enact six new sections to chapter 15-47 of the North Dakota
2 Century Code or in the alternative to create and enact six new sections to chapter 15.1-21 of
3 the North Dakota Century Code, relating to the testing of reading and mathematics.

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

5 **SECTION 1.** If House Bill No. 1045 does not become effective, a new section to
6 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

7 **Reading and mathematics - Administration of test.** Beginning during the second half
8 of the 2001-02 school year and annually thereafter, the superintendent of public instruction shall
9 administer to students in grades four, eight, and twelve a test that is aligned to the state content
10 standards in reading and mathematics.

11 **SECTION 2.** If House Bill No. 1045 does not become effective, a new section to
12 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

13 **Test scores - Compilation.** The superintendent of public instruction shall arrange for
14 the compilation of test scores in a manner that indicates both aptitude and achievement and
15 allows a comparison of individual students, classrooms within a given school and school district,
16 schools within the state, and school districts within the state. The test scores must also allow
17 for comparisons based on students' gender, ethnicity, economic status, service status, and
18 assessment status, unless doing so enables the identification of any student.

19 **SECTION 3.** If House Bill No. 1045 does not become effective, a new section to
20 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

21 **Test scores - Publication.** Upon receiving notice that the compilation of test scores
22 has been completed, the superintendent of public instruction shall inform the legislative council.
23 The superintendent shall present the test scores publicly for the first time at a meeting of a
24 legislative committee designated by the legislative council. At the meeting, the superintendent

and representatives of the testing service that created the tests shall provide detailed testimony regarding the testing instrument, the methodology used to test and assess the students, and the significance of the test scores.

SECTION 4. If House Bill No. 1045 does not become effective, a new section to chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

Superintendent of public instruction - Technical assistance. After the presentation of the test scores as provided for in section 3 of this Act, the superintendent of public instruction shall, upon request, meet with individual school district superintendents and school boards to review the test scores of the district and assist the superintendents in using the scores as a management tool to improve the provision of education in the district.

SECTION 5. If House Bill No. 1045 does not become effective, a new section to chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

Professional development - Use of available funds.

1. On or before October first of each year, each school district shall file a professional development plan with the superintendent of public instruction. The plan must include:
 - a. The amount and source of funds that were made available to the district for professional development during the preceding school year;
 - b. The amount and source of funds that were expended by the district for professional development during the preceding school year;
 - c. The number of district teachers who participated in professional development activities during the preceding school year;
 - d. The source of funding for the professional development activities in which the teachers participated during the preceding school year; and
 - e. The nature and scope of the professional development activities in which the teachers participated.
2. The superintendent of public instruction shall compile the information submitted under this section to determine how much of the available funding for professional development was used by school districts in this state and, beginning with the reports due on or before October 1, 2002, whether the expenditure correlated with

increased student achievement on the reading and mathematics tests required by
section 1 of this Act.

SECTION 6. If House Bill No. 1045 does not become effective, a new section to
chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

Content standards - Translation - Curriculum. Each district shall provide upon
request a copy of its content standards in the areas of reading and mathematics, a translation
of the district's content standards in the areas of reading and mathematics for individuals who
do not have a background in elementary or high school education, and a copy of the curriculum
or syllabus used by each teacher of reading and mathematics.

SECTION 7. A new section to chapter 15.1-21 of the North Dakota Century Code is
created and enacted as follows:

Reading and mathematics - Administration of test. Beginning during the second half
of the 2001-02 school year and annually thereafter, the superintendent of public instruction shall
administer to students in grades four, eight, and twelve, the comprehensive test of basic skills,
or a comparable nationally normed test, in the areas of reading and mathematics. Any test
used to fulfill the requirements of this section must be aligned to the state content standards in
reading and mathematics.

SECTION 8. A new section to chapter 15.1-21 of the North Dakota Century Code is
created and enacted as follows:

Test scores - Compilation. The superintendent of public instruction shall arrange for
the compilation of test scores in a manner that indicates both aptitude and achievement and
allows a comparison of individual students, classrooms within a given school and school district,
schools within the state, and school districts within the state. The test scores must also allow
for comparisons based on students' gender, ethnicity, economic status, service status, and
assessment status, unless doing so enables the identification of any student.

SECTION 9. A new section to chapter 15.1-21 of the North Dakota Century Code is
created and enacted as follows:

Test scores - Publication. Upon receiving notice that the compilation of test scores
has been completed, the superintendent of public instruction shall inform the legislative council.
The superintendent shall present the test scores publicly for the first time at a meeting of a
legislative committee designated by the legislative council. At the meeting, the superintendent

and representatives of the testing service that created the tests shall provide detailed testimony regarding the testing instrument, the methodology used to test and assess the students, and the significance of the test scores.

SECTION 10. A new section to chapter 15.1-21 of the North Dakota Century Code is created and enacted as follows:

Superintendent of public instruction - Technical assistance. After the presentation of the test scores as provided for in section 9 of this Act, the superintendent of public instruction shall, upon request, meet with individual school district superintendents and school boards to review the test scores of the district and assist the superintendents in using the scores as a management tool to improve the provision of education in the district.

SECTION 11. A new section to chapter 15.1-21 of the North Dakota Century Code is created and enacted as follows:

Professional development - Use of available funds.

1. On or before October first of each year, each school district shall file a report with the superintendent of public instruction indicating:
 - a. The amount and source of funds that were made available to the district for professional development during the preceding school year;
 - b. The amount and source of funds that were expended by the district for professional development during the preceding school year;
 - c. The number of district teachers who participated in professional development activities during the preceding school year;
 - d. The source of funding for the professional development activities in which the teachers participated during the preceding school year; and
 - e. The nature and scope of the professional development activities in which the teachers participated.
2. The superintendent of public instruction shall compile the information submitted under this section to determine how much of the available funding for professional development was used by school districts in this state and, beginning with the reports due on or before October 1, 2002, whether the expenditure correlated with increased student achievement on the reading and mathematics tests required by section 7 of this Act.

1 **SECTION 12.** A new section to chapter 15.1-21 of the North Dakota Century Code is
2 created and enacted as follows:

3 **Content standards - Translation - Curriculum.** Each district shall provide upon
4 request a copy of its content standards in the areas of reading and mathematics, a translation
5 of the district's content standards in the areas of reading and mathematics for individuals who
6 do not have a background in elementary or high school education, and a copy of the curriculum
7 or syllabus used by each teacher of reading and mathematics.