

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1171

Introduced by

Representatives Grande, R. Kelsch, Karls, L. Meier

Senators G. Lee, Miller

1 A BILL for an Act to amend and reenact sections 15.1-23-01, 15.1-23-02, 15.1-23-08,
2 15.1-23-14, and 15.1-23-17 of the North Dakota Century Code, relating to supervision of home
3 education; to repeal sections 15.1-23-03, 15.1-23-06, and 15.1-23-07 of the North Dakota
4 Century Code, relating to the qualifications and monitoring of parents supervising home
5 education; and to provide an expiration date.

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

7 **SECTION 1. AMENDMENT.** Section 15.1-23-01 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **15.1-23-01. Home education - Definition.** For purposes of this chapter, "home
10 education" means a program of education supervised by a child's parent, ~~in the child's home,~~ in
11 accordance with the requirements of this chapter.

12 **SECTION 2. AMENDMENT.** Section 15.1-23-02 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **15.1-23-02. Statement of intent to supervise home education.** At least fourteen
15 days before beginning home education or within fourteen days of establishing a child's
16 residence in a school district, and once each year thereafter, a parent intending to supervise or
17 supervising home education shall file a statement, reflecting that intent or fact, with the
18 superintendent of the child's school district of residence or if no superintendent is employed,
19 with the county superintendent of schools for the child's county of residence.

20 1. The statement must include:

- 21 a. The name and address of the child receiving home education;
22 b. The child's date of birth;
23 c. The child's grade level;
24 d. The name and address of the parent who will supervise the home education;

e. ~~The qualifications of the parent who will supervise the home education;~~

f. Any public school courses in which the child intends to participate and the school district offering the courses; and

~~g.~~ f. Any extracurricular activities in which the child intends to participate and the school district or approved nonpublic school offering the activities.

2. The statement must be accompanied by a copy of the child's immunization record and proof of the child's identity as required by section 54-23.2-04.2.

SECTION 3. AMENDMENT. Section 15.1-23-08 of the North Dakota Century Code is amended and reenacted as follows:

15.1-23-08. ~~Monitoring or test~~ Test administration. An individual who in accordance with this chapter ~~monitors a child receiving home education or who~~ administers a standardized achievement test to a child receiving home education shall notify the child's school district of residence.

SECTION 4. AMENDMENT. Section 15.1-23-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-23-14. Child with a developmental disability - Home education. A parent may supervise home education for a child with a developmental disability if:

1. The child has been determined to have a developmental disability by a licensed psychologist; and

2. ~~The child's parent is qualified to supervise home education under this chapter; and~~

~~3.~~ The child's parent files with the superintendent of the child's school district of residence:

a. A notice that the child will receive home education;

b. A copy of the child's diagnosis of a developmental disability prepared and attested to by a licensed psychologist; and

c. A services plan developed and followed by the child's school district of residence and the child's parent; or, after providing written notice to the superintendent of the child's school district of residence, a substitute services plan, developed and followed, according to section 15.1-23-15, by a services plan team selected by and compensated by the child's parent.

1 **SECTION 5. AMENDMENT.** Section 15.1-23-17 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **15.1-23-17. Home education - High school diplomas.**

- 4 1. A child's school district of residence, an approved nonpublic high school, or the
5 center for distance education may issue a high school diploma to a child who,
6 through home education, has met the issuing entity's requirements for high school
7 graduation provided the child's parent submits to the issuing entity a description of
8 the course material covered in each high school subject, a description of the
9 course objectives and how the objectives were met, and a transcript of the child's
10 performance in grades nine through twelve.
- 11 2. In the alternative, a high school diploma may be issued by the child's school district
12 of residence, an approved nonpublic high school, or the center for distance
13 education provided the child, through home education, has completed at least
14 twenty-one units of high school coursework from the minimum required curriculum
15 offerings established by law for public and nonpublic schools and the child's parent
16 or legal guardian submits to the issuing entity a description of the course material
17 covered in each high school subject, a description of the course objectives and
18 how the objectives were met, and a transcript of the child's performance in grades
19 nine through twelve. The issuing entity may indicate on a diploma issued under
20 this subsection that the child was provided with home education. Beginning with
21 the 2009-10 school year, the number of units required by this section increases to
22 twenty-two and beginning with the 2011-12 school year, the number of units
23 required by this section increases to twenty-four.
- 24 3. If for any reason the documentation required in subsection 1 or 2 is unavailable,
25 the entity issuing the diploma may accept any other reasonable proof that the child
26 has met the applicable requirements for high school graduation.

27 **SECTION 6. REPEAL.** Sections 15.1-23-03, 15.1-23-06, and 15.1-23-07 of the North
28 Dakota Century Code are repealed.

29 **SECTION 7. EXPIRATION DATE.** This Act is effective through July 31, 2011, and
30 after that date is ineffective.