

HOUSE BILL NO. 1232

Introduced by

Representatives Satrom, Jones, Ostlie, Paulson, Schauer, Strinden

1 A BILL for an Act to amend and reenact sections 15.1-06-04 and 15.1-27-23 of the North
2 Dakota Century Code, relating to the satisfaction of school calendar hours through virtual
3 instruction.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-06-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-06-04. School calendar - Length.**

8 1. A school district shall provide for a school calendar that includes:

9 a. At least nine hundred sixty-two and one-half hours of instruction for elementary
10 school students and one thousand fifty hours of instruction for middle and high
11 school students;

12 b. Three holidays, as selected by the board in consultation with district teachers
13 from the list provided for in subdivisions b through j of subsection 1 of section
14 15.1-06-02;

15 c. No more than two days for:

16 (1) Parent-teacher conferences; or

17 (2) Compensatory time for parent-teacher conferences held outside of regular
18 school hours; and

19 d. At least three days of professional development not including meals or breaks.

20 2. For the first three days of professional development required under subdivision d of
21 subsection 1, a day of professional development must consist of:

22 a. Six hours of professional development, exclusive of meals and other breaks,
23 conducted within a single day;

- 1 b. Six hours of cumulative professional development conducted under the auspices
2 of a professional learning community; or
- 3 c. Two four-hour periods of professional development, exclusive of meals and other
4 breaks, conducted over two days.
- 5 3. If because of weather or other circumstances a school must cancel hours of instruction
6 or dismiss before completing a full day all hours of instruction for the day, the school is
7 responsible for making up only those hours and portions of an hour between the time
8 of cancellation or early dismissal and the conclusion of a full day all hours of classroom
9 instruction for the day if the dismissal will result in the school failing to meet the
10 requirements of subdivision a of subsection 1, except a school district may submit and
11 the superintendent of public instruction may approve an application to allow the school
12 district to offer instruction through a virtual education plan as provided under
13 subsection 6.
- 14 4. For purposes of this section, a full day of instruction consists of:
- 15 a. At least five and one-half hours for kindergarten and elementary students, during
16 which time the students are required to be in attendance for the purpose of
17 receiving curricular instruction; and
- 18 b. At least six hours for high school students, during which time the students are
19 required to be in attendance for the purpose of receiving curricular instruction.
- 20 5. If a school district intends to operate under a school calendar that consists of four days
21 of instruction per week, the school district shall apply and be approved for a waiver by
22 the superintendent of public instruction.
- 23 6. The superintendent of public instruction may adopt rules governing the submission,
24 evaluation, and approval of applications and the monitoring of any school district
25 receiving a waiver under this subsection. To be eligible to receive a waiver under this
26 subsection, a school district must have at least ninety-five percent student participation
27 in the virtual instruction and provide evidence that at least ninety-five percent of the
28 school district's teachers and administration were actively instructing, facilitating, and
29 engaging students through the virtual education plan on the days virtual instruction
30 was offered. A virtual education plan must calculate instruction time by adding
31 synchronous virtual instructional time, virtual meeting time, time a student is logged

1 into the virtual learning platform, and time a student spends offline completing
2 assignments as determined by the school. For purposes of this subsection,
3 "synchronous" means occurring at a specific designated time.

4 **SECTION 2. AMENDMENT.** Section 15.1-27-23 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-27-23. Weather or other emergency conditions - Closure of schools - State aid**
7 **payments to school districts.**

- 8 1. The board of each school district shall establish the length of a period, day, and week
9 in accordance with the requirements of section 15.1-06-04. If a public school or school
10 district is closed or provides less than a full day of instruction, the public school or
11 school district shall reschedule those hours to ensure students receive at least the
12 minimum number of instructional hours required by subdivision a of subsection 1 of
13 section 15.1-06-04. A school or school district may satisfy the requirements of this
14 section by providing virtual instruction under section 15.1-06-04.
- 15 2. Any public school or school district for which the rescheduling of classes would create
16 undue hardship may request that, for purposes of calculating state aid payments to the
17 school district, the governor waive the rescheduling in whole or in part.