

Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1105

Introduced by

Representatives Jonas, Christy, Hager, Longmuir, Murphy

Senator Davison

1 A BILL for an Act to amend and reenact section 15.1-07-25.4 of the North Dakota Century
2 Code, relating to a school district's virtual learning policies.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-07-25.4 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-07-25.4. Virtual learning - School district policy - Report to legislative**
7 **management and legislative assembly.**

8 1. The board of a school district or governing board of a nonpublic school that operates a
9 physical school plant may adopt a policy to allow students to engage in virtual
10 instruction and in the case of a school district, qualify for average daily membership in
11 the district.

12 2. A resident school district may not deny open enrollment to an approved virtual school.

13 2-3. A student or a student's family member may not receive any item, service, or thing of
14 value not given in exchange for fair market consideration from a vendor providing
15 instruction or support under this section.

16 3-4. The superintendent of public instruction shall adopt rules governing policies under this
17 section.

18 5. A policy adopted by a school district under this section ~~must comply~~:

19 a. Must comply with the rules adopted by the superintendent of public instruction.

20 b. May restrict student access to virtual instruction to certain time periods and
21 impose time duration limitations.

22 c. May impose eligibility requirements for students to qualify to enroll in virtual
23 instruction.

1 d. May require a student's legal guardian to pay for a virtual instruction course if the
2 student fails to obtain credit for the virtual instruction course.

3 e. Must require the school district to pay for a virtual instruction course if the school
4 district does not offer the course and obtaining the course credit would contribute
5 to the student meeting high school graduation requirements in time to graduate
6 within the usual time frame.

7 4.6. The superintendent of public instruction shall provide an annual report to either the
8 legislative management or the legislative assembly. In odd-numbered years, the report
9 must be made to the legislative assembly. In even-numbered years, the report must be
10 made to the legislative management. The annual report must:

11 a. Contain a comparison of the academic performance of students participating in
12 virtual instruction against students not participating in virtual instruction under this
13 section; and

14 b. Use the statewide prekindergarten through grade twelve strategic vision
15 framework goals.

16 5.7. If the superintendent of public instruction does not have access to academic
17 performance reports of a school district's virtual instruction subgroup because of the
18 low group size, the district shall provide the annual report required under this section
19 for the district's comparison data.

20 6.8. Students enrolled in an approved virtual school do not generate school district sized
21 weighting factors pursuant to section 15.1-27-03.2.