

Sixty-ninth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT

ENGROSSED 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 require registration for virtual instruction to coincide with the school district
21 course registration schedule and deadlines.

- 1 c. May require that students meet prerequisites to ensure readiness for sequential
2 virtual courses.
- 3 d. 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 e. May establish the minimum number of courses a student is required to take
8 onsite, whether virtual or in person. The policy may not unreasonably restrict
9 student access to virtual school options and must comply with laws and
10 administrative rules applicable to onsite students, as distinguished from virtual
11 academy students.
- 12 f. May grant discretion to the school district to determine whether to pay for a virtual
13 instruction course retake.

14 ~~4.6.~~ The superintendent of public instruction shall provide an annual report to either the
15 legislative management or the legislative assembly. In odd-numbered years, the report
16 must be made to the legislative assembly. In even-numbered years, the report must be
17 made to the legislative management. The annual report must:

- 18 a. Contain a comparison of the academic performance of students participating in
19 virtual instruction against students not participating in virtual instruction under this
20 section; and
- 21 b. Use the statewide prekindergarten through grade twelve strategic vision
22 framework goals.

23 ~~5.7.~~ If the superintendent of public instruction does not have access to academic
24 performance reports of a school district's virtual instruction subgroup because of the
25 low group size, the district shall provide the annual report required under this section
26 for the district's comparison data.

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