

**Sixty-ninth Legislative Assembly of North Dakota
In Special Session Commencing Wednesday, January 21, 2026**

HOUSE BILL NO. 1621
(Legislative Management)
(Joint Policy Committee)

AN ACT to amend and reenact subsection 1 of section 15.1-21-01 and section 15.1-21-02 of the North Dakota Century Code, relating to requiring the presidential physical fitness test in physical education courses in elementary, middle, and high schools and providing exceptions to the test; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 15.1-21-01 of the North Dakota Century Code is amended and reenacted as follows:

1. Provide to students instruction in:
 - a. English language arts, including reading, composition, creative writing, English grammar, and spelling.
 - b. Mathematics.
 - c. Social studies, including:
 - (1) The United States Constitution;
 - (2) United States history;
 - (3) Geography;
 - (4) Government; and
 - (5) North Dakota studies, with an emphasis on geography, history, the federally recognized Indian tribes in the state, and agriculture of this state, in the fourth and eighth grades.
 - d. Science, including agriculture.
 - e. Physical education, including requiring participation in the presidential physical fitness test. The superintendent of public instruction may establish criteria for and exceptions to the presidential physical fitness test, in alignment with federal guidance.
 - f. Health, including physiology, hygiene, disease control, and the nature and effects of alcohol, tobacco, and narcotics.
 - g. Computer science, including cybersecurity.

SECTION 2. AMENDMENT. Section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02. High schools - Required units.

1. To be approved by the superintendent of public instruction, each public and nonpublic high school shall provide instruction in or make available to each student:

- a. Four units of English language arts from a sequence that includes literature, composition, and speech;
 - b. Four units of mathematics, including:
 - (1) One unit of algebra II; and
 - (2) One unit for which algebra II is a prerequisite;
 - c. Four units of science, including:
 - (1) One unit of physical science; and
 - (2) One unit of biology;
 - d. Four units of social studies, including:
 - (1) One unit of world history;
 - (2) One unit of United States history, including Native American tribal history; and
 - (3) (a) One unit of problems of democracy; or
(b) One-half unit of United States government and one-half unit of economics;
 - e. One-half unit of health;
 - f. One-half unit of physical education during each school year, including requiring participation in the presidential physical fitness test, provided that once every four years the unit must be a concept-based fitness class that includes instruction in the assessment, improvement, and maintenance of personal fitness;
 - g. Two units of fine arts, at least one of which must be music;
 - h. Two units of the same foreign or native American language;
 - i. One unit of an advanced placement course or one unit of a dual-credit course;
 - j. Two units of career and technical education from a coordinated plan of study recommended by the department of career and technical education and approved by the superintendent of public instruction; and
 - k. One unit of computer science or cybersecurity.
2. In addition to the requirements of subsection 1, each public and nonpublic high school shall:
- a. Make available to each student, at least once every two years, one-half unit of North Dakota studies, with an emphasis on the geography, history, and agriculture of this state; and
 - b. Develop a computer science and cybersecurity integration plan to ensure introduction to computer science and cybersecurity knowledge. The board of a public school or school district shall approve a plan by July 1, 2024.
3. Each unit which must be made available under this section must meet or exceed the state content standards, unless a school district or governing board of a nonpublic high school has adopted a mastery framework policy and awards units based on the successful completion of the relevant portions of the North Dakota learning continuum. A mastery framework policy adopted by a school district or governing board of a nonpublic high school must identify the

portions of the North Dakota learning continuum which must be mastered for a student to attain units necessary for high school graduation under section 15.1-21-02.2.

4. For purposes of this section, unless the context otherwise requires, "make available" means that:
 - a. Each public high school and nonpublic high school shall allow students to select units over the course of a high school career from a list that includes at least those required by this section;
 - b. If a student selects a unit from the list required by this section, the public high school or the nonpublic high school shall provide the unit to the student; and
 - c. The unit may be provided to the student through any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.
5. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
6. If in order to meet the minimum requirements of this section a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall:
 - a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and
 - b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family.
7. The requirements of this section do not apply to alternative high schools or alternative high school education programs.
8. The requirements of subdivisions g and h of subsection 1 do not apply to the North Dakota youth correctional center.
9. The superintendent of public instruction may establish criteria for and exceptions to the presidential physical fitness test under subdivision f of subsection 1.

SECTION 3. EFFECTIVE DATE. This Act becomes effective on August 1, 2027.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1621.

House Vote: Yeas 90 Nays 2 Absent 2

Senate Vote: Yeas 43 Nays 3 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2026.

Approved at _____ M. on _____, 2026.

Governor

Filed in this office this _____ day of _____, 2026,

at _____ o'clock _____ M.

Secretary of State