

2026 JOINT POLICY

HB 1621

2026 JOINT STANDING COMMITTEE MINUTES

Policy Committee Pioneer Room, State Capitol

HB 1621
1/21/2026

Relating to requiring the presidential physical fitness test in physical education courses in elementary, middle, and high schools; and to provide and effective date.

Co-chair Representative Ruby opened the hearing.

Present: Co-Chairman Senator Lee, Co-Chairman Ruby, Senators Boschee, Clemens, Cory, Gerhardt, Hogan, Kessel, Myrdal, Powers, Roers, Rummel, Van Oosting, Walen, Weston; Representatives Beltz, Davis, Dobervich, Dressler, Frelich, Heinert, Jonas, Klemin, Novak, Porter, Rohr, Vollmer, Weisz.

Discussion Topics:

- Test Requirements
- Training for administrators
- Private and charter school eligibility
- Notice of funding

12:58 p.m. Kristal Fremming testified in favor and submitted testimony #45438.

1:12 p.m. Senator Clemens introduced amendment #25.1383.01002 and submitted testimony #45463 and #45469.

1:32 p.m. Senator Clemens moved to adopt amendment #25.1383.01002.

1:32 p.m. Senator Gerhart seconded the motion.

Representatives	
Representative Matt Ruby	N
Representative Mike Beltz	N
Representative Jayme Davis	N
Representative Gretchen Dobervich	N
Representative Ty Dressler	AB
Representative Kathy Frelich	Y
Representative Pat Heinert	N
Representative Jim Jonas	N
Representative Lawrence Klemin	N
Representative Anna Novak	N
Representative Todd Porter	N
Representative Karen Rohr	N
Representative Dan Vollmer	N
Representative Robin Weisz	N

Motion failed 1-12-1.

Senators	
Senator Judy Lee	N
Senator Joshua Boschee	N
Senator David Clemens	Y
Senator Claire Cory	Y
Senator Justin Gerhardt	Y
Senator Kathy Hogan	N
Senator Greg Kessel	N
Senator Janne Myrdal	N
Senator Michelle Powers	N
Senator Kristin Roers	N
Senator Dean Rummel	N
Senator Desiree Van Oosting	Y
Senator Chuck Walen	Y
Senator Kenton Weston	Y

Motion failed 6-8-0.

1:37 p.m. Senator Hogan introduced amendment LC#25.1383.01003 and submitted testimony #45470.

1:42 p.m. Beth Dittus, Assistant Legal Division Director for Legislative Council, answered committee questions.

1:51 p.m. Jim Upgren, Legislative Liaison with Department of Public Instruction, answered committee questions.

1:55 p.m. Senator Hogan moved amendment LC#25.1383.01003.

1:55 p.m. Senator Myrdal seconded the motion.

Representatives	
Representative Matt Ruby	Y
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Ty Dressler	AB
Representative Kathy Frelich	Y
Representative Pat Heinert	Y
Representative Jim Jonas	Y
Representative Lawrence Klemin	N
Representative Anna Novak	Y
Representative Todd Porter	Y
Representative Karen Rohr	Y
Representative Dan Vollmer	Y
Representative Robin Weisz	Y

Motion passed 12-1-1.

Senators	
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Senator Judy Lee	Y
Senator Joshua Boschee	Y
Senator David Clemens	N
Senator Claire Cory	Y
Senator Justin Gerhardt	Y
Senator Kathy Hogan	Y
Senator Greg Kessel	Y
Senator Janne Myrdal	Y
Senator Michelle Powers	Y
Senator Kristin Roers	Y
Senator Dean Rummel	Y
Senator Desiree Van Oosting	Y
Senator Chuck Walen	Y
Senator Kenton Weston	Y

Motion passed 13-1-0.

1:59 p.m. Representative Klemin moved to further amend to add "and exceptions" to page 2 line 2 and page 5 line 20.

1:59 p.m. Representative Davis seconded the motion.

Representatives	
Representative Matt Ruby	N
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Ty Dressler	AB
Representative Kathy Frelich	Y
Representative Pat Heinert	Y
Representative Jim Jonas	Y
Representative Lawrence Klemin	Y
Representative Anna Novak	Y
Representative Todd Porter	Y
Representative Karen Rohr	N
Representative Dan Vollmer	Y
Representative Robin Weisz	Y

Motion passed 11-2-1.

Senators	
Senator Judy Lee	Y
Senator Joshua Boschee	Y
Senator David Clemens	N
Senator Claire Cory	Y
Senator Justin Gerhardt	Y
Senator Kathy Hogan	Y
Senator Greg Kessel	Y
Senator Janne Myrdal	Y
Senator Michelle Powers	Y
Senator Kristin Roers	N

Senator Dean Rummel	Y
Senator Desiree Van Oosting	Y
Senator Chuck Walen	Y
Senator Kenton Weston	Y

Motion passed 12-2-0.

2:02 p.m. Representative Jonas moved Do Pass as Amended.

2:02 p.m. Senator Hogan seconded the motion.

Representatives	
Representative Matt Ruby	Y
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Ty Dressler	AB
Representative Kathy Frelich	N
Representative Pat Heinert	Y
Representative Jim Jonas	Y
Representative Lawrence Klemin	Y
Representative Anna Novak	Y
Representative Todd Porter	Y
Representative Karen Rohr	Y
Representative Dan Vollmer	Y
Representative Robin Weisz	Y

Motion passed 12-1-1.

Senators	
Senator Judy Lee	Y
Senator Joshua Boschee	N
Senator David Clemens	N
Senator Claire Cory	Y
Senator Justin Gerhardt	Y
Senator Kathy Hogan	Y
Senator Greg Kessel	Y
Senator Janne Myrdal	Y
Senator Michelle Powers	Y
Senator Kristin Roers	Y
Senator Dean Rummel	Y
Senator Desiree Van Oosting	Y
Senator Chuck Walen	Y
Senator Kenton Weston	Y

Motion passed 12-2-0.

2:04 p.m. Representative Jonas will carry the bill.

2:04 p.m. Senator Hogan will carry the bill.

Additional written testimony:

RaNae Jochim submitted testimony in opposition #45394.

2:04 p.m. Co-Chairman Ruby closed the hearing.

Andrew Ficek, Committee Clerk

January 21, 2026

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1621

Introduced by

Legislative Management

(Joint Policy Committee)

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

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

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

- 8 1. Provide to students instruction in:
- 9 a. English language arts, including reading, composition, creative writing, English
10 grammar, and spelling.
- 11 b. Mathematics.
- 12 c. Social studies, including:
- 13 (1) The United States Constitution;
- 14 (2) United States history;
- 15 (3) Geography;
- 16 (4) Government; and
- 17 (5) North Dakota studies, with an emphasis on geography, history, the federally
18 recognized Indian tribes in the state, and agriculture of this state, in the
19 fourth and eighth grades.
- 20 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.~~ ~~Subsection 1 of section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:~~

- ~~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;~~

- 1 ~~g. Two units of fine arts, at least one of which must be music;~~
- 2 ~~h. Two units of the same foreign or native American language;~~
- 3 ~~i. One unit of an advanced placement course or one unit of a dual credit course;~~
- 4 ~~j. Two units of career and technical education from a coordinated plan of study~~
5 ~~recommended by the department of career and technical education and~~
6 ~~approved by the superintendent of public instruction; and~~
- 7 ~~k. One unit of computer science or cybersecurity.~~

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

10 **15.1-21-02. High schools - Required units.**

- 11 1. To be approved by the superintendent of public instruction, each public and nonpublic
12 high school shall provide instruction in or make available to each student:
 - 13 a. Four units of English language arts from a sequence that includes literature,
14 composition, and speech;
 - 15 b. Four units of mathematics, including:
 - 16 (1) One unit of algebra II; and
 - 17 (2) One unit for which algebra II is a prerequisite;
 - 18 c. Four units of science, including:
 - 19 (1) One unit of physical science; and
 - 20 (2) One unit of biology;
 - 21 d. Four units of social studies, including:
 - 22 (1) One unit of world history;
 - 23 (2) One unit of United States history, including Native American tribal history;
24 and
 - 25 (3) (a) One unit of problems of democracy; or
26 (b) One-half unit of United States government and one-half unit of
27 economics;
 - 28 e. One-half unit of health;
 - 29 f. One-half unit of physical education during each school year, including requiring
30 participation in the presidential physical fitness test, provided that once every four

1 years the unit must be a concept-based fitness class that includes instruction in
2 the assessment, improvement, and maintenance of personal fitness;

3 g. Two units of fine arts, at least one of which must be music;

4 h. Two units of the same foreign or native American language;

5 i. One unit of an advanced placement course or one unit of a dual-credit course;

6 j. Two units of career and technical education from a coordinated plan of study

7 recommended by the department of career and technical education and

8 approved by the superintendent of public instruction; and

9 k. One unit of computer science or cybersecurity.

10 2. In addition to the requirements of subsection 1, each public and nonpublic high school
11 shall:

12 a. Make available to each student, at least once every two years, one-half unit of
13 North Dakota studies, with an emphasis on the geography, history, and
14 agriculture of this state; and

15 b. Develop a computer science and cybersecurity integration plan to ensure
16 introduction to computer science and cybersecurity knowledge. The board of a
17 public school or school district shall approve a plan by July 1, 2024.

18 3. Each unit which must be made available under this section must meet or exceed the
19 state content standards, unless a school district or governing board of a nonpublic
20 high school has adopted a mastery framework policy and awards units based on the
21 successful completion of the relevant portions of the North Dakota learning continuum.
22 A mastery framework policy adopted by a school district or governing board of a
23 nonpublic high school must identify the portions of the North Dakota learning
24 continuum which must be mastered for a student to attain units necessary for high
25 school graduation under section 15.1-21-02.2.

26 4. For purposes of this section, unless the context otherwise requires, "make available"
27 means that:

28 a. Each public high school and nonpublic high school shall allow students to select
29 units over the course of a high school career from a list that includes at least
30 those required by this section;

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

24 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective ~~immediately upon its filing with~~
25 ~~the secretary of state~~ on August 1, 2027.

**REPORT OF STANDING COMMITTEE
HB 1621**

Joint Policy Committee (Rep. M. Ruby, Co-Chairman) recommends **AMENDMENTS** ([25.1383.01004](#)) and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT OR EXCUSED AND NOT VOTING). HB 1621 was placed on the Sixth order on the calendar.

**REPORT OF STANDING COMMITTEE
HB 1621**

Joint Policy Committee (Sen. Lee, Co-Chairman) recommends **AMENDMENTS** ([25.1383.01004](#)) and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1621 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

January 20, 2026

RE: HB 1621

I am in strong opposition to HB 1621, which is attempting to require participation in the presidential physical fitness test. Not only does this testing encourage competition between peers instead of focusing on overall fitness/wellness and personal gains, there is no funding provided for the implementation of the program. Our elementary PE teachers work really hard to create well-rounded physical education classes that meet the needs of all students, not just the ones who can run the fastest. They are also already challenged with limited budgets and many cannot afford to implement a program that seeks to shame kids instead of creating positive feelings around health and wellness.

NO on HB 1621

RaNae Jochim

Bismarck

Testimony
House Bill No. 1621
Joint Policy Committee
Representative Matthew Ruby and Senator Judy Lee, Co-Chairman
January 21, 2026

Chairman Ruby and Chairman Lee, and members of the Joint Policy Committee, I am Krista Fremming, Interim Director of Medical Services with the Department of Health and Human Services. I appear before you in support of House Bill No. 1621, which was introduced as part of North Dakota's Rural Health Transformation Program, adding presidential physical fitness testing to the school curriculum. This legislation is a critical step toward improving the health and well-being of North Dakota's children, and ultimately, the future of our state.

Healthy habits that prevent chronic diseases such as diabetes, heart disease, and obesity begin in childhood. These conditions are largely preventable through healthy lifestyle choices, yet they continue to rise. Schools play a pivotal role in teaching children how to be physically active, which is an evidence-based strategy to combat declining health trends. Embedding fitness standards into the curriculum in North Dakota schools gives students the knowledge and tools to increase activity, establish healthy lifelong behaviors, and ultimately, decrease chronic disease risk.

The program provides appropriate age and gender benchmarks, ensuring students not only engage in physical activity but also learn how to assess, improve, and maintain their lifelong personal fitness. The program gives students a platform to celebrate personal

improvement, challenge themselves with national standards, and improve their abilities.

The environment built by the staff and schools will be the ultimate determiner of the programs inclusivity and HHS has confidence our local educators will rise to the occasion to create a positive learning environment.

The interim Rural Health Transformation committee has expressed support for this bill, and the state's commitment was highlighted in the Rural Health Transformation Program application submitted to the Centers for Medicare and Medicaid Services (CMS). Based on that application and the intention to pass this legislation, North Dakota received points and funding. Following through now is essential to honor that commitment and maintain approximately \$9 million in funds awarded over the next 5 years.

I urge you to support House Bill No. 1621 as an investment in our future. Physical fitness is foundational to ending chronic disease and ensuring that every child in North Dakota can thrive. Together, we can make physical fitness a cornerstone of our education system and a catalyst for a healthier North Dakota.

This concludes my testimony. I would be happy to try to answer any questions the committee may have.

JANUARY 21, 2026

JOINT POLICY COMMITTEE OF 69TH LEGISLATIVE SPECIAL SESSION

MY NAME IS DAVID CLEMENS AND I SERVE IN THE SENATE FROM DISTRICT 16.

I AM HERE TO INTRODUCE AMENDMENT 25.1383.01002 OF HB 1621.

MY REASON FOR THE AMENDMENT IS THAT NONPUBLIC SCHOOLS SHOULD NOT BE REQUIRED UNDER STATE STATUTE TO PARTAKE IN PRESIDENTIAL PHYSICAL FITNESS TEST.

THE FITNESS TEST IS NOT EVEN A REQUIREMENT FOR PUBLIC OR NONPUBLIC SCHOOLS AT THE FEDERAL LEVEL.

BOTH PUBLIC AND NONPUBLIC DO NOT WANT ADDITIONAL MANDATES PLACED UPON THEM SINCE EVERY MANDATE WILL TAKE AWAY TIME FROM CLASSROOM INSTRUCTION.

NONPUBLIC SCHOOLS ARE NOT RECEIVING STATE FUNDING AND THUS SHOULD NOT BE REQUIRED TO TAKE THIS TEST.

OVERALL, THERE MAY NOT BE ANY ISSUE WITH THE FITNESS TEST, BUT DO NOT MANDATE IT.

THANK YOU FOR YOU TIME AND OPEN FOR ANY QUESTIONS.

SINCERELY.

SEN DAVID CLEMENS

25.1383.01002
Title.

Prepared by the Legislative Council
staff for Senator Clemens
January 20, 2026

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1621

Introduced by

Legislative Management

(Joint Policy Committee)

1 A BILL for an Act to amend and reenact subsection 1 of section 15.1-21-01 and subsection 1 of
2 section 15.1-21-02 of the North Dakota Century Code, relating to requiring the presidential
3 physical fitness test in physical education courses in public elementary, middle, and high
4 schools; and to provide an effective date.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

- 8 1. Provide to students instruction in:
- 9 a. English language arts, including reading, composition, creative writing, English
10 grammar, and spelling.
- 11 b. Mathematics.
- 12 c. Social studies, including:
- 13 (1) The United States Constitution;
- 14 (2) United States history;
- 15 (3) Geography;
- 16 (4) Government; and
- 17 (5) North Dakota studies, with an emphasis on geography, history, the federally
18 recognized Indian tribes in the state, and agriculture of this state, in the
19 fourth and eighth grades.
- 20 d. Science, including agriculture.

- 1 e. Physical education, including requiring participation in the presidential physical
- 2 fitness test in public schools.
- 3 f. Health, including physiology, hygiene, disease control, and the nature and effects
- 4 of alcohol, tobacco, and narcotics.
- 5 g. Computer science, including cybersecurity.

6 **SECTION 2. AMENDMENT.** Subsection 1 of section 15.1-21-02 of the North Dakota
7 Century Code is amended and reenacted as follows:

- 8 1. To be approved by the superintendent of public instruction, each public and nonpublic
- 9 high school shall provide instruction in or make available to each student:
- 10 a. Four units of English language arts from a sequence that includes literature,
- 11 composition, and speech;
- 12 b. Four units of mathematics, including:
- 13 (1) One unit of algebra II; and
- 14 (2) One unit for which algebra II is a prerequisite;
- 15 c. Four units of science, including:
- 16 (1) One unit of physical science; and
- 17 (2) One unit of biology;
- 18 d. Four units of social studies, including:
- 19 (1) One unit of world history;
- 20 (2) One unit of United States history, including Native American tribal history;
- 21 and
- 22 (3) (a) One unit of problems of democracy; or
- 23 (b) One-half unit of United States government and one-half unit of
- 24 economics;
- 25 e. One-half unit of health;
- 26 f. One-half unit of physical education during each school year, including requiring
- 27 participation in the presidential physical fitness test in public schools, provided
- 28 that once every four years the unit must be a concept-based fitness class that
- 29 includes instruction in the assessment, improvement, and maintenance of
- 30 personal fitness;
- 31 g. Two units of fine arts, at least one of which must be music;

- 1 h. Two units of the same foreign or native American language;
- 2 i. One unit of an advanced placement course or one unit of a dual-credit course;
- 3 j. Two units of career and technical education from a coordinated plan of study
- 4 recommended by the department of career and technical education and
- 5 approved by the superintendent of public instruction; and
- 6 k. One unit of computer science or cybersecurity.

7 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective immediately upon its filing with
8 the secretary of state.

25.1383.01003
Title.

Prepared by the Legislative Council
staff for Senator Hogan
January 21, 2026

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1621

Introduced by

Legislative Management

(Joint Policy Committee)

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

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

8 1. Provide to students instruction in:

9 a. English language arts, including reading, composition, creative writing, English
10 grammar, and spelling.

11 b. Mathematics.

12 c. Social studies, including:

13 (1) The United States Constitution;

14 (2) United States history;

15 (3) Geography;

16 (4) Government; and

17 (5) North Dakota studies, with an emphasis on geography, history, the federally
18 recognized Indian tribes in the state, and agriculture of this state, in the
19 fourth and eighth grades.

20 d. Science, including agriculture.

- e. Physical education, including requiring participation in the presidential physical fitness test. The superintendent of public instruction may establish 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. ~~Subsection 1 of section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:~~

- ~~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 economies;~~
 - ~~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.~~

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;

- 1 g. Two units of fine arts, at least one of which must be music;
- 2 h. Two units of the same foreign or native American language;
- 3 i. One unit of an advanced placement course or one unit of a dual-credit course;
- 4 j. Two units of career and technical education from a coordinated plan of study
- 5 recommended by the department of career and technical education and
- 6 approved by the superintendent of public instruction; and
- 7 k. One unit of computer science or cybersecurity.
- 8 2. In addition to the requirements of subsection 1, each public and nonpublic high school
- 9 shall:
- 10 a. Make available to each student, at least once every two years, one-half unit of
- 11 North Dakota studies, with an emphasis on the geography, history, and
- 12 agriculture of this state; and
- 13 b. Develop a computer science and cybersecurity integration plan to ensure
- 14 introduction to computer science and cybersecurity knowledge. The board of a
- 15 public school or school district shall approve a plan by July 1, 2024.
- 16 3. Each unit which must be made available under this section must meet or exceed the
- 17 state content standards, unless a school district or governing board of a nonpublic
- 18 high school has adopted a mastery framework policy and awards units based on the
- 19 successful completion of the relevant portions of the North Dakota learning continuum.
- 20 A mastery framework policy adopted by a school district or governing board of a
- 21 nonpublic high school must identify the portions of the North Dakota learning
- 22 continuum which must be mastered for a student to attain units necessary for high
- 23 school graduation under section 15.1-21-02.2.
- 24 4. For purposes of this section, unless the context otherwise requires, "make available"
- 25 means that:
- 26 a. Each public high school and nonpublic high school shall allow students to select
- 27 units over the course of a high school career from a list that includes at least
- 28 those required by this section;
- 29 b. If a student selects a unit from the list required by this section, the public high
- 30 school or the nonpublic high school shall provide the unit to the student; and

- 1 c. The unit may be provided to the student through any delivery method not
- 2 contrary to state law and may include classroom or individual instruction and
- 3 distance learning options, including interactive video, computer instruction,
- 4 correspondence courses, and postsecondary enrollment under chapter 15.1-25.
- 5 5. The board of a school district may not impose any fees or charges upon a student for
- 6 the provision of or participation in units as provided in this section, other than the fees
- 7 permitted by section 15.1-09-36.
- 8 6. If in order to meet the minimum requirements of this section a school district includes
- 9 academic courses offered by a postsecondary institution under chapter 15.1-25, the
- 10 school district shall:
- 11 a. Pay all costs of the student's attendance, except those fees that are permissible
- 12 under section 15.1-09-36; and
- 13 b. Transport the student to and from the location at which the course is offered or
- 14 provide mileage reimbursement to the student if transportation is provided by the
- 15 student or the student's family.
- 16 7. The requirements of this section do not apply to alternative high schools or alternative
- 17 high school education programs.
- 18 8. The requirements of subdivisions g and h of subsection 1 do not apply to the North
- 19 Dakota youth correctional center.
- 20 9. The superintendent of public instruction may establish exceptions to the presidential
- 21 physical fitness test under subdivision f of subsection 1.

22 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective ~~immediately upon its filing with~~
23 ~~the secretary of state~~ on August 1, 2027.