Sixty-fifth Legislative Assembly of North Dakota

## SECOND ENGROSSMENT with Senate Amendments REENGROSSED HOUSE BILL NO. 1389

## Introduced by

Representatives B. Koppelman, Rick C. Becker, Louser, Olson, Owens, Rohr, D. Ruby, Toman

Senators Burckhard, Kannianen, Kreun, O. Larsen

- 1 A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota
- 2 Century Code, relating to parental directives; and to provide an expiration date.

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

4 **SECTION 1.** A new section to chapter 15.1-21 of the North Dakota Century Code is created

5 and enacted as follows:

- 6 Parental directive Administration of tests and assessments Report.
- 7 <u>1.</u> <u>A student's parent may direct that the school district in which the student is enrolled</u>
- 8 <u>not administer to the student any state test or state assessment required in</u>
- 9 accordance with section 15.1-21-08.
- 10 <u>2.</u> In addition to the authority granted under subsection 1, a student's parent may direct
- 11 that the school district in which the student is enrolled not administer any other specific
- 12 test or assessment to the student, except a parental directive under this subsection
- 13 does not apply to:
- 14a.Any test or assessment required by the student's school district of enrollment or15this state for the completion of any grade from kindergarten through twelve;
- 16 <u>b.</u> Any test or assessment required by the student's school district of enrollment or
  17 <u>this state for high school graduation;</u>
- 18 <u>c.</u> <u>The ACT; or</u>
- 19 <u>d.</u> <u>WorkKeys assessments.</u>
- 203.a.A parental directive is valid only if it is presented to the school district using a21standardized form, prepared by the superintendent of public instruction, and22signed by the student's custodial parent.

Sixty-fifth Legislative Assembly

1		<u>b.</u>	A parental directive is valid only until the conclusion of the school year in which it
2			is received by the school district.
3		<u>C.</u>	A parental directive submitted to a school district in accordance with this section
4			must be retained as part of the student's educational record.
5	<u>4.</u>	<u>A so</u>	chool district is not liable for any consequences incurred by a student as a result of
6		<u>a pa</u>	arental directive submitted in accordance with this section.
7	<u>5.</u>	<u>A so</u>	chool district is not required to provide instruction or activities for a student during
8		<u>the</u>	administration of any test or assessment referenced in the parental directive
9		<u>sub</u>	mitted by the student's parent.
10	<u>6.</u>	Each school district shall post the parental directive form on its website and make the	
11		<u>forn</u>	n available to a parent, upon request.
12	<u>7.</u>	At the time and in the manner directed by the superintendent of public instruction,	
13		<u>eac</u>	h school district shall provide a report regarding:
14		<u>a.</u>	The number of parental directives received;
15		<u>b.</u>	The number of parental directives applicable to students who are economically
16			disadvantaged, students from major racial and ethnic groups, students with
17			disabilities, and students with limited English proficiency; and
18		<u>C.</u>	Any loss of funding stemming from the parental directives.
19	SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 2019, and after that		
20	date is ineffective.		