

**HOUSE BILL NO. 1378**

Introduced by

Representatives R. Kelsch, Bellew, Hatlestad, D. Johnson

Senators Bakke, G. Lee

1 A BILL for an Act to amend and reenact sections 15.1-06-01 and 15.1-22-02 of the North  
2 Dakota Century Code, relating to the age of admission to schools.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-06-01 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15.1-06-01. Schools free and accessible - School ages.**

- 7 1. Each public school must be free, open, and accessible at all times to any child  
8 provided:
- 9 a. The child may not enroll in grade one unless the child reaches the age of six  
10 before ~~September~~ July first of the year of enrollment;
  - 11 b. The child may not enroll in kindergarten unless the child reaches the age of  
12 five before ~~September~~ July first of the year of enrollment; and
  - 13 c. The child has not reached the age of twenty-one before ~~September~~ July first  
14 of the year of enrollment.
- 15 2. Notwithstanding ~~the provisions of~~ subsection 1, a school district may not enroll in  
16 grade one a child who is not six years old before ~~September~~ July first, unless the  
17 child will be six years old before ~~January~~ November first and:
- 18 a. The child, by means of developmental and readiness screening instruments  
19 approved by the superintendent of public instruction and administered by the  
20 school district, can demonstrate special talents or abilities; or
  - 21 b. The child has completed an approved kindergarten program.
- 22 3. Notwithstanding subsection 1, a school district may not enroll in kindergarten a  
23 child who is not five years old before ~~September~~ July first unless the child will be  
24 five years old before ~~January~~ November first and the child, by means of

1 developmental and readiness screening instruments approved by the  
2 superintendent of public instruction and administered by the school district, can  
3 demonstrate special talents or abilities.

4 **SECTION 2. AMENDMENT.** Section 15.1-22-02 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15.1-22-02. Public kindergarten - Requirements.** A school district operating a  
7 kindergarten:

- 8 1. May not employ an individual as a kindergarten teacher unless the individual is  
9 licensed to teach by the education standards and practices board or approved by  
10 the education standards and practices board.
- 11 2. Shall submit to the superintendent of public instruction and follow a  
12 developmentally appropriate curriculum.
- 13 3. Shall provide at least the equivalent of thirty full days of instruction, on a half-day or  
14 full-day basis, as determined by the school board.
- 15 4. Shall apply all municipal and state health, fire, and safety requirements to the  
16 kindergarten.
- 17 5. May not enroll a child who is not five years old ~~by midnight August thirty first~~ before  
18 July first of the year of enrollment, unless the child will be five years old ~~on or~~  
19 ~~before December thirty first~~ November first and:
  - 20 a. The child, by means of developmental and readiness screening instruments  
21 approved by the superintendent of public instruction and administered by the  
22 kindergarten operator, can demonstrate special talents or abilities; or
  - 23 b. The child has been enrolled in another approved kindergarten.