

HOUSE BILL NO. 1277

Introduced by

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

Senators Burckhard, Clemens, Kreun, O. Larsen

1 A BILL for an Act to amend and reenact sections 15.1-21-08, 15.1-21-17, 15.1-21-18, and
2 15.1-21-19 of the North Dakota Century Code, relating to parental directives regarding
3 statutorily mandated assessments; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-21-08 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-21-08. Reading, mathematics, and science - Administration of test.**

- 8 1. The superintendent of public instruction shall administer to public school students a
9 test that is aligned to the state content and achievement standards in reading and
10 mathematics. This test must be administered annually to all public school students in
11 grades three, four, five, six, seven, eight, and in at least one grade level selected from
12 nine through eleven.
- 13 2. The superintendent of public instruction shall administer a test that is aligned to the
14 state content and achievement standards in science. This test must be administered to
15 all public school students in at least one grade level selected from three through five,
16 in at least one grade level selected from six through nine, and in at least one grade
17 level selected from ten and eleven.
- 18 3. Before administering any tests required by this section, the superintendent shall
19 provide to the parents of students under the age of eighteen notification of the
20 proposed test and their right to direct that the test not be administered to their child.

21 **SECTION 2. AMENDMENT.** Section 15.1-21-17 of the North Dakota Century Code is
22 amended and reenacted as follows:

1 **15.1-21-17. Interim assessment.**

2 1. Each school district shall administer annually to students in grades two through ten the
3 measures of academic progress test or any other interim assessment approved by the
4 superintendent of public instruction.

5 2. Before administering any test or assessment required by this section, the school
6 district superintendent shall provide to students' parents notification of the proposed
7 test or assessment and their right to direct that the test not be administered to their
8 child.

9 **SECTION 3. AMENDMENT.** Section 15.1-21-18 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **15.1-21-18. Career interest inventory - Educational and career planning -**

12 **Consultation.**

13 1. a. A school district shall administer to students, once during their enrollment in
14 grade seven or eight and once during their enrollment in grade nine or ten, a
15 career interest inventory recommended by the department of career and
16 technical education and approved by the superintendent of public instruction.

17 b. Before administering a career interest inventory, as required by this section, the
18 school district superintendent shall provide to the students' parents notification of
19 the proposed career interest inventory and their right to direct that the test not be
20 administered to their child.

21 2. At least once during the seventh or eighth grade, each school district shall arrange for
22 students to participate in either an individual consultative process or a nine-week
23 course, for the purpose of discussing the results of their career interest inventory,
24 selecting high school courses appropriate to their educational pursuits and career
25 interests, and developing individual high school education plans.

26 3. Each school district shall notify its high school students that, upon request, a student is
27 entitled to receive a consultative review of the student's individual high school
28 education plan at least once during each high school grade. Upon the request of a
29 student, the school district shall provide the consultative review.

30 4. Each school district shall verify compliance with the requirements of this section at the
31 time and in the manner required by the superintendent of public instruction.

1 **SECTION 4. AMENDMENT.** Section 15.1-21-19 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **15.1-21-19. Summative assessment - Selection - Cost - Exemptions.**

4 1. a. Except as otherwise provided, each public and nonpublic school student in grade
5 eleven shall take the ACT, including the writing test, or three WorkKeys
6 assessments recommended by the department of career and technical education
7 and approved by the superintendent of public instruction.

8 b. The student shall determine which summative assessment to take.

9 c. Before administering the summative assessment required by this section, the
10 school district superintendent shall provide to parents of students under the age
11 of eighteen notification of the assessment and their right to direct that the
12 assessment not be administered to their child.

13 d. The superintendent of public instruction is responsible for the cost of procuring
14 and administering one summative assessment per student.

15 2. The student's career advisor or guidance counselor shall meet with the student to
16 review the student's assessment results.

17 3. A school district superintendent or a school administrator in the case of a nonpublic
18 school student may exempt a student from the requirements of this section if taking
19 the test is not required by the student's individualized education program plan or if
20 other special circumstances exist.

21 4. At the time and in the manner determined by the superintendent of public instruction,
22 each school district superintendent and each school administrator in the case of a
23 nonpublic school shall report the number of eleventh grade students who:

24 a. Took the ACT, including the writing test;

25 b. Took the three WorkKeys assessments; and

26 c. Were exempted from the requirements of this section, together with the reason
27 for each exemption.

28 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.