

HOUSE BILL NO. 1467

Introduced by

Representatives Paulson, Richter, Satrom, Schauer, Schreiber-Beck

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 the provision of pod education outside the classroom during a
3 declared emergency or disaster.

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

5 **SECTION 1.** A new section to chapter 15.1-21 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Pod education - Remote learning - Emergencies.**

8 1. As used in this section:

- 9 a. "Collaborate" means communication, sharing of educational resources,
10 development of learning opportunities, delivery of educational instruction, and the
11 joint supervision of student pod education between parents of children in two or
12 more separate families.
- 13 b. "Parent" includes a child's legal guardian.
- 14 c. "Pod education" means a program of instruction in which parents may collaborate
15 on the creation of lessons and delivery of instruction to students outside the
16 classroom during emergencies when in-person classroom learning is not
17 feasible.
- 18 d. "Supervise" means the selection of materials, determination of an educational
19 philosophy, and oversight over the method, manner, and delivery of instruction to
20 students participating in pod education.

21 2. If the governor declares a statewide state of disaster or emergency that affects the
22 ability of schools to satisfy the requirements of this chapter through in-person
23 instruction, a parent may provide a student educational instruction through pod
24 learning.

- 1 3. A parent intending to supervise or supervising a child's participation in pod education
- 2 shall file a statement reflecting that intent or fact with the superintendent of the child's
- 3 school district of residence or, if no superintendent is employed, with the county
- 4 superintendent of schools for the child's county of residence.
- 5 4. The statement under subsection 3 must include:
- 6 a. The name and address of the child receiving pod education;
- 7 b. The child's date of birth;
- 8 c. The child's grade level;
- 9 d. The name and address of the parent who will supervise the pod education;
- 10 e. The qualifications of the parent who will supervise the pod education;
- 11 f. Any public school courses in which the child intends to participate and the school
- 12 district offering the courses; and
- 13 g. Any extracurricular activities in which the child intends to participate and the
- 14 school district or approved nonpublic school offering the activities.
- 15 5. The statement under subsection 3 must be accompanied by a copy of the child's
- 16 immunization record and proof of the child's identity as required by section 12-60-26.
- 17 6. The superintendent of the child's school district of residence or, if no superintendent is
- 18 employed, the county superintendent of schools for the child's county of residence
- 19 shall report the number of statements of intent filed in accordance with this section to
- 20 the superintendent of public instruction at the time and in the manner required by the
- 21 superintendent of public instruction.
- 22 7. A parent may supervise pod education if the parent holds a high school diploma or a
- 23 GED diploma.
- 24 8. A parent supervising pod education shall include instruction in the subjects required by
- 25 law to be taught to public school students. The instruction must have a duration of at
- 26 least four hours each day for a minimum of one hundred seventy-five days each year,
- 27 or until the governor rescinds the statewide state of disaster or emergency.
- 28 9. A parent supervising pod education shall maintain a record of courses taken by the
- 29 child and the child's academic progress assessments, including any standardized
- 30 achievement test results. If the child transfers to a public school district, the parent

- 1 shall furnish the record, upon request, to the school district superintendent or other
2 administrator.
- 3 10. A student is exempt from the requirements of chapters 15.1-06, 15.1-18, 15.1-20, and
4 15.1-21 while participating in pod education under this section.
- 5 11. The superintendent of public instruction, school districts, or county superintendents
6 may not be held liable for accepting as correct the information in the statement under
7 subsection 3, or for any damages resulting from a parent's failure to educate a child
8 under this section.