

Kasper, Jim M.

From: Clark, Jennifer S.
Sent: Tuesday, November 9, 2021 1:38 PM
To: Kasper, Jim M.
Subject: Link to NDCC

Representative-

Here is the link to the laws you referenced, 15.1-21-01 and 15.1-21-02: <https://www.legis.nd.gov/cencode/t15-1c21.pdf>

15.1-21-01. Elementary and middle schools - Required instruction.

In order to be approved by the superintendent of public instruction, each public and nonpublic elementary and middle school shall provide to students instruction in:

1. English language arts, including reading, composition, creative writing, English grammar, and spelling.
2. Mathematics.
3. Social studies, including:
 - a. The United States Constitution;
 - b. United States history;
 - c. Geography;
 - d. Government; and
 - e. North Dakota studies, with an emphasis on geography, history, the federally recognized Indian tribes in the state, and agriculture of this state, in the fourth and eighth grades.
4. Science, including agriculture.
5. Physical education.
6. Health, including physiology, hygiene, disease control, and the nature and effects of alcohol, tobacco, and narcotics.

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

1. In order 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, 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; and
 - 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.
2. In addition to the requirements of subsection 1, each public and nonpublic high school shall make available to each student, at least once every two years, one-half unit of North Dakota studies, with an emphasis on the geography, history, and agriculture of this state.

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3. Each unit which must be made available under this section must meet or exceed the state content standards, unless a school district or governing board of a nonpublic high school has adopted a mastery framework policy and awards units based on the successful completion of the relevant portions of the North Dakota learning continuum. A mastery framework policy adopted by a school district or governing board of a nonpublic high school must identify the portions of the North Dakota learning continuum which must be mastered for a student to attain units necessary for high school graduation under section 15.1-21-02.2.
4. For purposes of this section, unless the context otherwise requires, "make available" means that:
 - a. Each public high school and nonpublic high school shall allow students to select units over the course of a high school career from a list that includes at least those required by this section;
 - b. If a student selects a unit from the list required by this section, the public high school or the nonpublic high school shall provide the unit to the student; and
 - c. The unit may be provided to the student through any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.
5. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
6. If in order to meet the minimum requirements of this section a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall:
 - a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and
 - b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family.
7. The requirements of this section do not apply to alternative high schools or alternative high school education programs.
8. The requirements of subdivisions a and b of subsection 4 do not apply to the North

Testimony in support of HB1508

Examples of Critical Race Theory (and indoctrination of liberal ideologies) experienced by my children in Fargo Public Schools

- At Ben Franklin Middle School during 2020-2021 and 2021-2022 school year:
 - One of my daughter's 6th grade teachers asked the class "What is a White Supremacist?" And a student answered, "Someone who voted for Donald Trump?" And the teacher responded, "yes....(pause) but not everyone who voted for Donald Trump is a White Supremacist." Is that okay in school from a teacher?
 - On the day of the George Floyd verdict, an announcement was made to the entire school actually using the name of "George Floyd" with something about respecting everyone's opinions on the day of the verdict. I see no reason at all why the George Floyd verdict had any place being in our schools in any form and when I called to talk to the principal about it I was told that they were required to specifically read that announcement by the Fargo Public School District Office.
 - The day of the George Floyd verdict is also when I learned that Fargo Public Schools had created a new position called Director of Equity and Inclusion and hired Tamara Uselman. I am not against equity, equality or inclusion by definition nor are my children and nor are most children, but CRT is everywhere in our great nation—you can no longer listen to any news report without hearing people be called out based upon the color of their skin....I believe this is part of an attempt to divide us. This is happening right now in our schools in Fargo. According to my "white privileged" kids, Fargo Public Schools are doing the opposite of what they should be doing. They have said that they have never thought anything of the differences between them and their friends and classmates of other races, but now they feel like they are being taught in a way that highlights the differences (in a negative lens) and creates division where there was previously none.
 - Last spring my 6th grader came home and said, "The school is filled with gay pride flags and shirts." Black Lives Matter flags and shirts also abound at the school.
 - The principal of our school has also had his pronouns listed as part of his signature block on his email for about two school years now. "him/his"—why?
 - I also attended some informational sessions several years ago to learn more about Common Core as it was being considered and why it should be opposed. I would think that if a committee was formed and took the time to review and compare the

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curriculum from pre-Common Core times to now, they would find that what kids are being taught in ND now is very different and that CRT is built into the curriculum. Of equal importance would be to look not only at what is being taught, but also what is no longer being taught, such as history as it happened factually along with celebrating American Greatness. I don't believe that change is bad, but from experiencing ND public education as a student and now experiencing it as a parent, it is obvious to me that we are not headed in the right direction as it concerns our kids' education. It has become much harder as a parent to see or know what our kids are being taught simply based upon the fact that there are no easily accessible text books anymore. I have a son who is a Freshman in college, a 10th grader, and a 7th grader, so I have been part of the Fargo Public School system for many years now and I also went through the same school system. Since Common Core was being considered (and rebranded and implemented under the name Smarter Balance) education in ND has changed considerably and not all for the better.

- At Fargo North High School during 2020-2021 and 2021-2022 school year:
 - The George Floyd announcement was also made there.
 - My daughter's 9th grade English class (last year) read the novel Dear Martin, which was all about creating division through the lens of race and racial injustice. There was rape and drug use and an off duty police officer shooting a black boy because his music was too loud, as well as a general negative view of law enforcement. This book was also just recently written and was all about race and why white kids are bad and black kids are deprived. What happened to reading classical literature?
 - My 10th Grade daughter's Western Civ class took a survey in class to see how they fit onto a grid of economic and social issues. She had me take the survey at home on her computer and I was appalled at the statements that the kids read and then had to determine whether they Strongly Agreed, Agreed, Disagreed or Strongly Disagreed. Examples of the content included statements about 1) two consenting adults of the same sex doing whatever they want in the privacy of their bedroom, 2) pornography is okay as long as they are consenting adults, 3) marijuana, and more that I cannot recall at this point. Not sure why they need to know where they fall on the grid, but I did not appreciate these topics being part of a survey of my daughter. It seems to me that topics such as these being part of a school assignment in class, has a way of "normalizing" things that I don't believe should be made to seem "normal" for my teenaged daughter or any kids.

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- This fall my daughter's Latin teacher spent an entire class period (and more) telling the kids that they should not be selfish (like lots of their parents are) and just get vaccinated for COVID. This is not an example of CRT really, but it is certainly worth mentioning, as it provides an example of our public education system pushing a liberal agenda on to our kids regarding a personal/family medical decision. In addition, this teacher tells the kids that if their mask falls below their nose, that they are not a decent human being, like he is and they don't care about other people. This should not even be a conversation in a classroom.
- I am not sure when this changed, but kids who have to do detention, now have a choice of when they want to do it (basically whenever it is convenient or desirable for them to do it) so long as it is done by the end of a semester or the end of the school year. I'm pretty sure this is not teaching kids who earn detention any life lessons or doing anything to change the behavior, nor does it help them to make better decisions or respect authority. My daughter told me that some kids have 40 hours of detention built up and they never do it.

In summary, I wish I had more time to remember additional specific examples, because they do exist. The things described herein are from my children's eyes. They surely don't remember to tell me everything and I would imagine that sometimes they think things are okay when I wouldn't due to how they are being educated, so they may not even mention it.

I would like for our great State of North Dakota to keep our North Dakota values in place and stand for what is right rather than just going along with the national trends. By highlighting differences between children based upon the color of their skin rather than focusing on the content of each persons' character and teaching kids that everyone has an equal opportunity to succeed in life through hard work and making good decisions, they are effectively creating inequality, division and disclusion. Please keep CRT out of North Dakota and out of our schools. Thank you.

Amendment Prepared for Representative Jim Kasper

21.1078.01000

Sixty-seventh
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

Representative Kasper

(Approved by the Delayed Bills Committee)

A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to prohibiting the teaching of critical race theory in public schools; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Curriculum - Critical race theory - Prohibited.

Each school district and public school shall ensure instruction of its curriculum is factual and objective and aligned to the state content standards. A school district or public school may not include instruction relating to critical race theory in any portion of the district's required curriculum under sections 15.1-21-01 or 15.1-21-02, or any other curriculum offered by the district or school. For purposes of this section, "critical race theory" means the theory that racism is not merely the product of individual bias or prejudice, but that racism is systemically embedded in American society and the American legal system to facilitate racial inequality. The superintendent of public instruction shall may adopt rules to govern this section.

SECTION 2. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Suggested Amendment to CRT Bill

Aimee Copas <DrAimee.Copas1@ndcel.org>

Fri 11/5/2021 10:17 AM

To: Kasper, Jim M. <jkasper@nd.gov>

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Dear Honorable Representative Kasper,

Thank you for the opportunity to visit this morning about the bill submitted to the delayed bills committee regarding critical race theory. As mentioned in our conversation, should the delayed bills committee choose to push forward policy bills to the technical corrections committee, we wanted you to know that the language you have in your bill is well written, and gives a good concise definition of critical race theory. If given the technical corrections committee for a hearing, our organization would not oppose your bill as written, however, we would offer some language that could potentially strengthen the bill with just a couple very minor adjustments to the bill, allowing us to be even more supportive as it in the amended form it is better for our schools and students. Please see the attachment for the suggested amendment.

Description of amendment and rationale:

1. The addition of the alignment to the ND Content Standards would provide to the legislature an additional checks and balances of what is taught in schools enabling NDDPI to help ensure through standards that this additional level of protection is in place. School boards choose curriculum and teachers build their lessons to ensure that the standards as outlined by the ND standards are the key ideas taught in a course. In order to ensure that the student is given clear and precise instructions, it becomes necessary to align instruction with standards.

The ND Legislature has wisely tasked the state superintendent of public instruction to supervise the development of content standards. In ND, these are written in partnership with our best K12 teachers. Our standards ensure better accountability – holding teachers and schools responsible for what goes on in the classrooms. The practice of aligning learning to standards also helps ensure that a higher level of learning is attained, guides teachers in the process of assessment and helps keep them on track. Standards based instruction helps guide the planning, implementation, and assessment of student learning. The use of standards to streamline instruction ensures that teaching practices deliberately focus on agreed upon learning targets.


Aligning content to standards ensures that what is taught is **factual** and **objective**. It helps enable and ensures our educators factually teach about our amazing country from its foundations. For educators truth is of utmost importance. Our standards help ensure that.

2. Changing the “shall” to a “may” in the last line regarding administrative rules allows the department to be responsive, however, there may not be a need for the rules process for this bill as the language is effective and succinct, so no need to expend resources if it is not needed, but that permissiveness is in place if we find the need in the future.

Again, than you for visiting and I hope we can continue to work together in the future in the best interest of our students in all of our ND schools.

Sincerely,

Aimee Copas

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Introduced by

Representatives Kasper, Becker, B. Koppelman, Meier, Rohr, D. Ruby

Senators Myrdal, Wanzek

(Approved by the Delayed Bills Committee)

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6 and enacted as follows:

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9 and objective, and aligned to the state content standards developed by the superintendent of
10 public instruction. A school district or public school may not include instruction relating to critical
11 race theory in any portion of the district's required curriculum under sections 15.1-21-01 or
12 15.1-21-02, or any other curriculum offered by the district or school. For purposes of this
13 section, "critical race theory" means the theory that racism is not merely the product of
14 individual bias or prejudice, but that racism is systemically embedded in American society and
15 the American legal system to facilitate racial inequality. The superintendent of public instruction
16 shall may adopt rules to govern this section.

17 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective upon its filing with the
18 secretary of state.

21.1078.01002
Title.

Prepared by the Legislative Council staff for
Representative Kasper
November 8, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1508

Page 1, line 8, replace the second "and" with an underscored comma

Page 1, line 9, after "objective" insert ", and aligned to the state content standards developed by the superintendent of public instruction"

Page 1, line 15, replace "shall" with "may"

Renumber accordingly