

**FIRST ENGROSSMENT  
with House Amendments**

Fifty-sixth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2199**

Introduced by

Senators Kilzer, B. Stenehjem, Wanzek

Representatives Carlisle, Carlson, R. Kelsch

1 A BILL for an Act to create and enact a new section to chapter 15-34.1 of the North Dakota  
2 Century Code, relating to participation in extracurricular activities by students receiving home  
3 education; to amend and reenact subsection 4 of section 15-34.1-06 of the North Dakota  
4 Century Code, relating to home education; and to declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Subsection 4 of section 15-34.1-06 of the 1997  
7 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 8 4. Every parent supervising home education shall maintain an annual record of  
9 courses taken by the child and the child's academic progress assessments,  
10 including any standardized achievement test results. A parent shall furnish these  
11 records to any school to which the child may transfer upon request of the  
12 superintendent or other administrator of that public school district. A parent  
13 intending to supervise home education for the parent's child shall file an annual  
14 statement with the superintendent of the public school district in which the child  
15 resides. If the school district does not employ a local school superintendent, the  
16 statement must be filed with the county superintendent of schools for the county of  
17 the child's residence. The statement must be filed at least fourteen days prior to  
18 the beginning of home education or within fourteen days of establishing the child's  
19 residency within the district. The statement must include:
- 20 a. The names and addresses of the parent who will supervise and the child who  
21 will receive home education;
  - 22 b. The date of birth and grade level of each child receiving home education;
  - 23 c. The intention of the parent to supervise home education;
  - 24 d. The qualifications of the parent who will supervise home education;

- 1 e. ~~A list of courses or extracurricular activities in which the child intends to~~  
2 ~~participate in the public school district in which the child intends to enroll and~~  
3 ~~the public school district offering the courses;~~  
4 f. A list of extracurricular activities in which the child intends to participate and  
5 the public school district or approved nonpublic school offering the activities;  
6 g. Proof of an immunization record as it relates to section 23-07-16; and  
7 ~~g.~~ h. Proof of identity as it relates to section 54-23.2-04.2.

8 **SECTION 2.** A new section to chapter 15-34.1 of the North Dakota Century Code is  
9 created and enacted as follows:

10 **Home education - Participation in extracurricular activities.**

- 11 1. A child receiving home education may participate in extracurricular activities either;  
12 a. Under the auspices of the child's school district of residence; or  
13 b. Under the auspices of an approved nonpublic school, if permitted by the  
14 administrator of the school.  
15 2. For purposes of this section, a child participating under the auspices of the child's  
16 school district of residence is subject to the same standards for participation in  
17 extracurricular activities as those required of full-time students enrolled in the  
18 district.  
19 3. For purposes of this section, a child participating under the auspices of an  
20 approved nonpublic school is subject to the same standards for participation in  
21 extracurricular activities as those required of full-time students enrolled in the  
22 school.  
23 4. Once a child's parent has selected the public school district or the approved  
24 nonpublic school in which the child will participate for purposes of extracurricular  
25 activities, and has provided notification of the selection through the statement  
26 required by subsection 4 of section 15-34.1-06, the child is subject to the transfer  
27 rules as provided in the constitution and bylaws of the North Dakota high school  
28 activities association.

29 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.