

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2344

Introduced by

Senator Freborg

1 A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota
2 Century Code, relating to the closure of schools in weather emergencies; to amend and reenact
3 section 15-47-33 of the North Dakota Century Code, or in the alternative to amend and reenact
4 section 15.1-06-04 of the North Dakota Century Code, relating to length of the school year; and
5 to repeal section 15-40.1-09.1 of the North Dakota Century Code, relating to the closure of
6 schools due to emergencies.

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

8 **SECTION 1.** A new section to chapter 15-40.1 of the North Dakota Century Code is
9 created and enacted as follows:

10 **Weather or other emergency conditions - Closure of schools - Foundation aid.** If
11 because of severe weather or other emergency conditions a school or school district remains
12 closed or provides less than a full day of instruction, the school or school district shall make
13 every effort to reschedule classes so that students receive at least one hundred seventy-three
14 full days of instruction. Any school or school district for which the rescheduling of classes
15 would create undue hardship may request that, for purposes of foundation aid, the governor
16 waive the rescheduling in whole or in part. In requesting a waiver under this section, the school
17 or school district may aggregate hours during which classes were not provided, but the
18 governor may not grant a waiver for less than a full day of instruction.

19 **SECTION 2. AMENDMENT.** If House Bill No. 1034 does not become effective, section
20 15-47-33 of the 1997 Supplement to the North Dakota Century Code is amended and
21 reenacted as follows:

22 **15-47-33. Length of elementary and secondary school year term.**

23 1. All elementary and secondary schools in this state shall provide for a school term
24 of at least one hundred eighty days apportioned as follows:

- 1 a. One hundred seventy-three full days of instruction;
- 2 b. Three holidays listed in subsections 2 through 10 of section 15-38-04.1
- 3 selected by the school board in consultation with district teachers;
- 4 c. Two days for the attendance of teachers at the North Dakota education
- 5 association instructional conference; and
- 6 d. Up to two full days during which parent-teacher conferences are held, or
- 7 which are deemed by the school board to be compensatory time for
- 8 parent-teacher conferences held outside normal school hours.
- 9 2. A full day of instruction:
 - 10 a. Consists of at least five and one-half hours of instruction time for elementary
 - 11 students; and
 - 12 b. Consists of at least six hours of instruction time for high school students.
- 13 3. If because of weather a school must dismiss before completing a full day of
- 14 instruction, the school is responsible for making up only those hours and portions
- 15 of an hour between the time of early dismissal and the conclusion of a full day of
- 16 classroom instruction.

17 **SECTION 3. AMENDMENT.** Section 15.1-06-04 of the North Dakota Century Code as
18 created by House Bill No. 1034, as approved by the fifty-sixth legislative assembly, is amended
19 and reenacted as follows:

20 **15.1-06-04. School calendar - Length.**

- 21 1. During each school year, a school district shall provide for a school calendar of at
- 22 least one hundred eighty days, apportioned as follows:
 - 23 a. One hundred seventy-three full days of instruction;
 - 24 b. Three holidays listed in subdivisions b through j of subsection 1 of section
 - 25 15.1-06-02 and selected by the school board in consultation with district
 - 26 teachers;
 - 27 c. Two days for the attendance of teachers at the North Dakota education
 - 28 association instructional conference; and
 - 29 d. Up to two full days during which parent-teacher conferences are held or which
 - 30 are deemed by the school board to be compensatory time for parent-teacher
 - 31 conferences held outside regular school hours.

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- 1 2. A full day of instruction consists of:
- 2 a. At least five and one-half hours of instruction time for elementary students;
- 3 and
- 4 b. At least six hours of instruction time for high school students.
- 5 3. If because of weather a school must dismiss before completing a full day of
- 6 instruction, the school is responsible for making up only those hours and portions
- 7 of an hour between the time of early dismissal and the conclusion of a full day of
- 8 classroom instruction.

9 **SECTION 4. REPEAL.** Section 15-40.1-09.1 of the North Dakota Century Code is

10 repealed.