

Fifty-seventh  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1293

Introduced by

Representatives Berg, Haas, R. Kelsch, L. Thoreson

Senators Freborg, G. Nelson

1 A BILL for an Act to create and enact six new sections to chapter 15-47 of the North Dakota  
2 Century Code or in the alternative to create and enact six new sections to chapter 15.1-21 of  
3 the North Dakota Century Code, relating to the testing of reading and mathematics.

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

5 **SECTION 1.** If House Bill No. 1045 does not become effective, a new section to  
6 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

7 **Reading and mathematics - Administration of test.** Beginning during the second  
8 half of the 2001-02 school year and annually thereafter, the superintendent of public instruction  
9 shall administer to students a test that is aligned to the state content standards in reading and  
10 mathematics. This test must be administered to at least one grade level selected within each of  
11 the following grade spans: grades three through five; grades six through nine; and grades ten  
12 through twelve.

13 **SECTION 2.** If House Bill No. 1045 does not become effective, a new section to  
14 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

15 **Test scores - Compilation.** The superintendent of public instruction shall arrange for  
16 the compilation of test scores in a manner that indicates achievement and allows a comparison  
17 of individual students, classrooms within a given school and school district, schools within the  
18 state, and school districts within the state. The test scores must also allow for comparisons  
19 based on students' gender, ethnicity, economic status, service status, and assessment status,  
20 unless doing so enables the identification of any student.

21 **SECTION 3.** If House Bill No. 1045 does not become effective, a new section to  
22 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

23 **Test scores - Publication.** Upon receiving notice that the compilation of test scores  
24 has been completed, the superintendent of public instruction shall inform the legislative council.

1 The superintendent shall present the test scores publicly for the first time at a meeting of a  
2 legislative committee designated by the legislative council. At the meeting, the superintendent  
3 and representatives of the testing service that created the tests shall provide detailed testimony  
4 regarding the testing instrument, the methodology used to test and assess the students, and  
5 the significance of the test scores.

6 **SECTION 4.** If House Bill No. 1045 does not become effective, a new section to  
7 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

8 **Superintendent of public instruction - Technical assistance.** After the presentation  
9 of the test scores as provided for in section 3 of this Act, the superintendent of public instruction  
10 shall, upon request, meet with individual school district superintendents and school boards to  
11 review the test scores of the district and assist the superintendents in using the scores as a  
12 management tool to improve the provision of education in the district.

13 **SECTION 5.** If House Bill No. 1045 does not become effective, a new section to  
14 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

15 **Professional development - Use of available funds.**

- 16 1. On or before October first of each year, each school district shall file a professional  
17 development plan with the superintendent of public instruction. The plan must  
18 include:
- 19 a. The amount and source of funds that were made available to the district for  
20 professional development during the preceding school year;
  - 21 b. The amount and source of funds that were expended by the district for  
22 professional development during the preceding school year;
  - 23 c. The number of district teachers who participated in professional development  
24 activities during the preceding school year;
  - 25 d. The source of funding for the professional development activities in which the  
26 teachers participated during the preceding school year; and
  - 27 e. The nature and scope of the professional development activities in which the  
28 teachers participated.
- 29 2. The superintendent of public instruction shall compile the information submitted  
30 under this section to determine how much of the available funding for professional  
31 development was used by school districts in this state and, beginning with the

1 reports due on or before October 1, 2002, whether the expenditure correlated with  
2 increased student achievement on the reading and mathematics tests required by  
3 section 1 of this Act.

4 **SECTION 6.** If House Bill No. 1045 does not become effective, a new section to  
5 chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

6 **Content standards - Translation - Curriculum.** Each district shall provide upon  
7 request a copy of its content standards in the areas of reading and mathematics, a translation  
8 of the district's content standards in the areas of reading and mathematics for individuals who  
9 do not have a background in elementary or high school education, and a copy of the curriculum  
10 or syllabus used by each teacher of reading and mathematics.

11 **SECTION 7.** A new section to chapter 15.1-21 of the North Dakota Century Code is  
12 created and enacted as follows:

13 **Reading and mathematics - Administration of test.** Beginning during the second  
14 half of the 2001-02 school year and annually thereafter, the superintendent of public instruction  
15 shall administer to public school students a test that is aligned to the state content standards in  
16 reading and mathematics. This test must be administered to at least one grade level selected  
17 within each of the following grade spans: grades three through five; grades six through nine;  
18 and grades ten through twelve.

19 **SECTION 8.** A new section to chapter 15.1-21 of the North Dakota Century Code is  
20 created and enacted as follows:

21 **Test scores - Compilation.** The superintendent of public instruction shall arrange for  
22 the compilation of test scores in a manner that indicates achievement and allows a comparison  
23 of individual students, classrooms within a given school and school district, schools within the  
24 state, and school districts within the state. The test scores must also allow for comparisons  
25 based on students' gender, ethnicity, economic status, service status, and assessment status,  
26 unless doing so enables the identification of any student.

27 **SECTION 9.** A new section to chapter 15.1-21 of the North Dakota Century Code is  
28 created and enacted as follows:

29 **Test scores - Publication.** Upon receiving notice that the compilation of test scores  
30 has been completed, the superintendent of public instruction shall inform the legislative council.  
31 The superintendent shall present the test scores publicly for the first time at a meeting of a

1 legislative committee designated by the legislative council. At the meeting, the superintendent  
2 and representatives of the testing service that created the tests shall provide detailed testimony  
3 regarding the testing instrument, the methodology used to test and assess the students, and  
4 the significance of the test scores.

5 **SECTION 10.** A new section to chapter 15.1-21 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Superintendent of public instruction - Technical assistance.** After the presentation  
8 of the test scores as provided for in section 9 of this Act, the superintendent of public instruction  
9 shall, upon request, meet with individual school district superintendents and school boards to  
10 review the test scores of the district and assist the superintendents in using the scores as a  
11 management tool to improve the provision of education in the district.

12 **SECTION 11.** A new section to chapter 15.1-21 of the North Dakota Century Code is  
13 created and enacted as follows:

14 **Professional development - Use of available funds.**

- 15 1. On or before October first of each year, each school district shall file a report with  
16 the superintendent of public instruction indicating:
- 17 a. The amount and source of funds that were made available to the district for  
18 professional development during the preceding school year;
  - 19 b. The amount and source of funds that were expended by the district for  
20 professional development during the preceding school year;
  - 21 c. The number of district teachers who participated in professional development  
22 activities during the preceding school year;
  - 23 d. The source of funding for the professional development activities in which the  
24 teachers participated during the preceding school year; and
  - 25 e. The nature and scope of the professional development activities in which the  
26 teachers participated.
- 27 2. The superintendent of public instruction shall compile the information submitted  
28 under this section to determine how much of the available funding for professional  
29 development was used by school districts in this state and, beginning with the  
30 reports due on or before October 1, 2002, whether the expenditure correlated with

1                    increased student achievement on the reading and mathematics tests required by  
2                    section 7 of this Act.

3                    **SECTION 12.** A new section to chapter 15.1-21 of the North Dakota Century Code is  
4 created and enacted as follows:

5                    **Content standards - Translation - Curriculum.** Each district shall provide upon  
6 request a copy of its content standards in the areas of reading and mathematics, a translation  
7 of the district's content standards in the areas of reading and mathematics for individuals who  
8 do not have a background in elementary or high school education, and a copy of the curriculum  
9 or syllabus used by each teacher of reading and mathematics.