

SENATE BILL NO. 2358

Introduced by

Senators G. Lee, Christmann, Kringstad

Representatives Drovdal, Grande, Thoreson

1 A BILL for an Act to amend and reenact sections 15.1-06-02, 15.1-06-04, and 15.1-27-35 of the
2 North Dakota Century Code, relating to professional development days; and to repeal section
3 15.1-09-42 of the North Dakota Century Code, relating to conference attendance by school
4 personnel.

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

6 **SECTION 1. AMENDMENT.** Section 15.1-06-02 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-06-02. School holidays.**

- 9 1. Schools may not be in session on the following holidays:
- 10 a. Any Sunday.
 - 11 b. New Year's Day, the first day of January.
 - 12 c. Good Friday, the Friday preceding Easter Sunday.
 - 13 d. Memorial Day, the last Monday in May.
 - 14 e. The anniversary of the Declaration of Independence, the fourth day of July.
 - 15 f. Labor Day, the first Monday in September.
 - 16 g. Veteran's Day, the eleventh day of November.
 - 17 h. Thanksgiving Day, the fourth Thursday in November.
 - 18 i. Christmas Day, the twenty-fifth day of December.
 - 19 j. Any day declared to be a public holiday by the President of the United States
20 or the governor.
- 21 2. School may not be held on the two days in October that coincide with the North
22 Dakota education association conference.

1 3. Notwithstanding the provisions of subsection 1, if the first day of January, the fourth
2 day of July, the eleventh day of November, or the twenty-fifth day of December is a
3 Sunday, the school district shall observe the holiday on the following Monday.

4 ~~3.~~ 4. Notwithstanding the provisions of subsection 1, if the eleventh day of November is
5 a Saturday, the school district shall observe the holiday on the preceding Friday.

6 ~~4.~~ 5. The board of a school district may direct that classes not be held on the day of a
7 statewide election if the school is used as a polling place on that day.

8 **SECTION 2. AMENDMENT.** Section 15.1-06-04 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15.1-06-04. School calendar - Length.**

11 1. During each school year, a school district shall provide for a school calendar of at
12 least one hundred eighty days, apportioned as follows:

13 a. One hundred seventy-three full days of instruction;

14 b. Two full days of professional development activities for all individuals
15 employed by the district and licensed to teach by the education standards and
16 practices board;

17 c. Three holidays listed in subdivisions b through j of subsection 1 of section
18 15.1-06-02 and selected by the school board in consultation with district
19 teachers;

20 ~~e. Two days for the attendance of teachers at the North Dakota education~~
21 ~~association instructional conference; and~~

22 d. Up to two full days during which parent-teacher conferences are held or which
23 are deemed by the school board to be compensatory time for parent-teacher
24 conferences held outside regular school hours.

25 2. A full day of instruction consists of:

26 a. At least five and one-half hours for elementary students, during which time the
27 students are required to be in attendance for the purpose of receiving
28 curricular instruction; and

29 b. At least six hours for high school students, during which time the students are
30 required to be in attendance for the purpose of receiving curricular instruction.

- 1 3. a. A full day of professional development consists of eight hours of activities
2 approved by the superintendent of public instruction.
- 3 b. In order to have activities approved by the superintendent of public instruction,
4 a school district shall submit:
- 5 (1) A detailed course outline or syllabus, including the method of instruction
6 and materials to be distributed;
- 7 (2) The qualifications of each instructor presenting material;
- 8 (3) The procedure to be used for recording attendance; and
- 9 (4) Any other material required by the superintendent to evaluate the
10 activities.
- 11 c. The superintendent of public instruction may approve professional
12 development activities in half-day increments, each having a duration of at
13 least four hours, but may not approve any activity having a shorter duration.
- 14 4. If a school's calendar provides for an extension of each schoolday beyond the
15 statutorily required minimum number of hours, and if the extensions when
16 aggregated over an entire school year amount to more than eighty-four hours of
17 additional classroom instruction during the school year, the school is exempt from
18 having to make up six hours of instruction time lost as a result of weather-related
19 closure. In order to make up lost classroom instruction time beyond the six hours,
20 the school must extend its normal school calendar day by at least thirty minutes.
- 21 ~~4.~~ 5. A school that does not qualify under the provisions of subsection 3 must extend its
22 normal schoolday by at least thirty minutes to make up classroom instruction time
23 lost as a result of weather-related closure.
- 24 ~~5.~~ 6. If because of weather a school must dismiss before completing a full day of
25 instruction, the school is responsible for making up only those hours and portions
26 of an hour between the time of early dismissal and the conclusion of a full day of
27 classroom instruction.

28 **SECTION 3. AMENDMENT.** Section 15.1-27-35 of the North Dakota Century Code is
29 amended and reenacted as follows:

30 **15.1-27-35. Average daily membership - Calculation.** Average daily membership is
31 calculated by adding the total number of days that each student in a given classroom, school, or

1 school district is in attendance during a school calendar and the total number of days that each
2 student in a given classroom, school, or school district is absent during a school calendar, and
3 then dividing the sum by one hundred eighty. For purposes of calculating average daily
4 membership, all students are deemed to be in attendance on:

- 5 1. The three holidays listed in subdivisions b through j of subsection 1 of section
6 15.1-06-02 and selected by the school board in consultation with district teachers;
- 7 2. The two days set aside for ~~the attendance of teachers at the North Dakota~~
8 ~~education association instructional conference~~ professional development activities
9 under section 15.1-06-04; and
- 10 3. The two full days, or portions thereof, during which parent-teacher conferences are
11 held or which are deemed by the board of the district to be compensatory time for
12 parent-teacher conferences held outside regular school hours.

13 **SECTION 4. REPEAL.** Section 15.1-09-42 of the North Dakota Century Code is
14 repealed.