

**SENATE BILL NO. 2354**

Introduced by

Senators Triplett, Flakoll, Warner

Representatives Aarsvold, N. Johnson, Mueller

1 A BILL for an Act to amend and reenact section 15.1-21-02 of the North Dakota Century Code,  
2 relating to instruction in physical education.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-21-02 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15.1-21-02. High schools - Required units.**

- 7 1. In order to be approved by the superintendent of public instruction, each public and  
8 nonpublic high school shall make available to each student:
- 9 a. Four units of English language arts;
  - 10 b. Four units of mathematics;
  - 11 c. Four units of science;
  - 12 d. Four units of social studies, including one of world history and one of United  
13 States history;
  - 14 e. One-half unit of health;
  - 15 f. One-half unit of physical education during each school year, provided that  
16 once every four years the unit must be a concept-based fitness class that  
17 includes instruction in the assessment, improvement, and maintenance of  
18 personal fitness;
  - 19 g. Two units of fine arts, at least one of which must be music;
  - 20 h. Two units of the same foreign language; and
  - 21 i. Two units of career and technical education.
- 22 2. Each unit which must be made available under subsection 1 must meet or exceed  
23 the state content standards.

- 1           3. For purposes of this section, unless the context otherwise requires, "make  
2           available" means that:
- 3           a. Each public high school and nonpublic high school shall allow students to  
4           select units over the course of a high school career from a list that includes at  
5           least all the units provided in subsection 1;
- 6           b. If a student selects a unit from the list required by subsection 1, the public  
7           high school or the nonpublic high school shall provide the unit to the student;  
8           and
- 9           c. The unit may be provided to the student through any delivery method not  
10          contrary to state law and may include classroom or individual instruction and  
11          distance learning options, including interactive video, computer instruction,  
12          correspondence courses, and postsecondary enrollment under chapter  
13          15.1-25.
- 14          4. The board of a school district may not impose any fees or charges upon a student  
15          for the provision of or participation in units as provided in this section, other than  
16          the fees permitted by section 15.1-09-36.
- 17          5. If in order to meet the minimum requirements of this section a school district  
18          includes academic courses offered by a postsecondary institution under chapter  
19          15.1-25, the school district shall:
- 20          a. Pay all costs of the student's attendance, except those fees that are  
21          permissible under section 15.1-09-36; and
- 22          b. Transport the student to and from the location at which the course is offered  
23          or provide mileage reimbursement to the student if transportation is provided  
24          by the student or the student's family.
- 25          6. The requirements of this section do not apply to alternative high schools or  
26          alternative high school education programs.