

**SECOND ENGROSSMENT
with Senate Amendments
REENGROSSED HOUSE BILL NO. 1389**

Introduced by

Representatives B. Koppelman, Rick C. Becker, Louser, Olson, Owens, Rohr, D. Ruby,
Toman

Senators Burckhard, Kannianen, Kreun, O. Larsen

1 A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota
2 Century Code, relating to parental directives; and to provide an expiration date.

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

4 **SECTION 1.** A new section to chapter 15.1-21 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Parental directive - Administration of tests and assessments - Report.**

- 7 1. A student's parent may direct that the school district in which the student is enrolled
8 not administer to the student any state test or state assessment required in
9 accordance with section 15.1-21-08.
- 10 2. In addition to the authority granted under subsection 1, a student's parent may direct
11 that the school district in which the student is enrolled not administer any other specific
12 test or assessment to the student, except a parental directive under this subsection
13 does not apply to:
- 14 a. Any test or assessment required by the student's school district of enrollment or
15 this state for the completion of any grade from kindergarten through twelve;
- 16 b. Any test or assessment required by the student's school district of enrollment or
17 this state for high school graduation;
- 18 c. The ACT; or
- 19 d. WorkKeys assessments.
- 20 3. a. A parental directive is valid only if it is presented to the school district using a
21 standardized form, prepared by the superintendent of public instruction, and
22 signed by the student's custodial parent.

- 1 b. A parental directive is valid only until the conclusion of the school year in which it
2 is received by the school district.
- 3 c. A parental directive submitted to a school district in accordance with this section
4 must be retained as part of the student's educational record.
- 5 4. A school district is not liable for any consequences incurred by a student as a result of
6 a parental directive submitted in accordance with this section.
- 7 5. A school district is not required to provide instruction or activities for a student during
8 the administration of any test or assessment referenced in the parental directive
9 submitted by the student's parent.
- 10 6. Each school district shall post the parental directive form on its website and make the
11 form available to a parent, upon request.
- 12 7. At the time and in the manner directed by the superintendent of public instruction,
13 each school district shall provide a report regarding:
- 14 a. The number of parental directives received;
15 b. The number of parental directives applicable to students who are economically
16 disadvantaged, students from major racial and ethnic groups, students with
17 disabilities, and students with limited English proficiency; and
18 c. Any loss of funding stemming from the parental directives.

19 **SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2019, and after that
20 date is ineffective.