

**HOUSE BILL NO. 1232**

Introduced by

Representatives Satrom, Jones, Ostlie, Paulson, Schauer, Strinden

1 A BILL for an Act to amend and reenact sections 15.1-06-04 and 15.1-27-23 of the North  
2 Dakota Century Code, relating to the satisfaction of school calendar hours through virtual  
3 instruction.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-06-04 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15.1-06-04. School calendar - Length.**

8 1. A school district shall provide for a school calendar that includes:

9 a. At least nine hundred sixty-two and one-half hours of instruction for elementary  
10 school students and one thousand fifty hours of instruction for middle and high  
11 school students;

12 b. Three holidays, as selected by the board in consultation with district teachers  
13 from the list provided for in subdivisions b through j of subsection 1 of section  
14 15.1-06-02;

15 c. No more than two days for:

16 (1) Parent-teacher conferences; or

17 (2) Compensatory time for parent-teacher conferences held outside of regular  
18 school hours; and

19 d. At least three days of professional development not including meals or breaks.

20 2. For the first three days of professional development required under subdivision d of  
21 subsection 1, a day of professional development must consist of:

22 a. Six hours of professional development, exclusive of meals and other breaks,  
23 conducted within a single day;

- 1           b. Six hours of cumulative professional development conducted under the auspices  
2           of a professional learning community; or
- 3           c. Two four-hour periods of professional development, exclusive of meals and other  
4           breaks, conducted over two days.
- 5        3. If because of weather or other ~~circumstances~~conditions a school must cancel hours of  
6        instruction or dismiss before completing a full dayall hours of instruction for the day,  
7        the school is responsible for making up only those hours and portions of an hour  
8        between the time of cancellation or early dismissal and the conclusion of a full dayall  
9        hours of classroom instruction for the day if the dismissal will result in the school failing  
10       to meet the requirements of subdivision a of subsection 1, except a school district may  
11       submit and the superintendent of public instruction may approve an application to  
12       allow the school district to offer instruction through a virtual education plan as provided  
13       under subsection 6.
- 14       4. For purposes of this section, a full day of instruction consists of:
- 15       a. At least five and one-half hours for kindergarten and elementary students, during  
16       which time the students are required to be in attendance for the purpose of  
17       receiving curricular instruction; and
- 18       b. At least six hours for high school students, during which time the students are  
19       required to be in attendance for the purpose of receiving curricular instruction.
- 20       5. If a school district intends to operate under a school calendar that consists of four days  
21       of instruction per week, the school district shall apply and be approved for a waiver by  
22       the superintendent of public instruction.
- 23       6. The superintendent of public instruction may adopt rules governing the submission,  
24       evaluation, and approval of applications and the monitoring of any school district  
25       receiving a waiver under this subsection. To be eligible to receive a waiver under this  
26       subsection, a school district must have ~~at least ninety-five percent student participation~~  
27       in the virtual instruction available to all students and provide evidence ~~that at least~~  
28       ~~ninety-five percent of~~ the school district's teachers and administration were actively  
29       instructing, facilitating, and engaging students through the virtual education plan on  
30       the days virtual instruction was offered. A virtual education plan must calculate  
31       instruction time by adding synchronous virtual instructional time, virtual meeting time,

1           time a student is logged into the virtual learning platform, and time a student spends  
2           offline completing assignments as determined by the school. For purposes of this  
3           subsection, "synchronous" means occurring at a specific designated time.

4           **SECTION 2. AMENDMENT.** Section 15.1-27-23 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6           **15.1-27-23. Weather or other emergency conditions - Closure of schools - State aid**  
7 **payments to school districts.**

- 8           1. The board of each school district shall establish the length of a period, day, and week  
9           in accordance with the requirements of section 15.1-06-04. If a public school or school  
10          district is closed or provides less than a full day of instruction, the public school or  
11          school district shall reschedule those hours to ensure students receive at least the  
12          minimum number of instructional hours required by subdivision a of subsection 1 of  
13          section 15.1-06-04. A school or school district may satisfy the requirements of this  
14          section by providing virtual instruction under section 15.1-06-04.
- 15          2. Any public school or school district for which the rescheduling of classes would create  
16          undue hardship may request that, for purposes of calculating state aid payments to the  
17          school district, the governor waive the rescheduling in whole or in part.