

Introduced by

Representatives Pyle, Cory, Ista, Longmuir, Mock, Roers Jones, M. Ruby

Senators Burckhard, Dever, Meyer, Weber

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 and a new section to  
2 chapter 15.1-29 of the North Dakota Century Code, relating to virtual instruction of military-  
3 connected students; and to amend and reenact section 15.1-20-02 of the North Dakota Century  
4 Code, relating to compulsory school attendance.

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

6 **SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Virtual learning - Military-connected students, students with a medical condition, or**  
9 **students moving out of state - School district policy.**

- 10 1. For purposes of this section, a "military-connected student" means a student impacted  
11 by a military-directed reassignment or mid-year relocation.  
12 2. A school district may allow a military-connected student, a student with a medical  
13 condition unable to physically attend school, or a student moving out of state to enroll  
14 early or remain enrolled and attend a school by engaging in virtual instruction.  
15 3. The period of virtual instruction permitted under this section may not extend beyond  
16 the current school year.  
17 4. If the board of a school district that operates a physical plant chooses to provide virtual  
18 instruction under this section, the board shall adopt a local policy.

19 **SECTION 2. AMENDMENT.** Section 15.1-20-02 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **15.1-20-02. Compulsory attendance - Exceptions.**

- 22 1. ~~The provisions of section~~ Section 15.1-20-01 ~~does~~ not apply if the person having  
23 responsibility for the child demonstrates to the satisfaction of the school board that:

- 1           a. The child is in attendance for the same length of time at an approved nonpublic  
2           school;
- 3           b. The child has completed high school;
- 4           c. The child is necessary to the support of the child's family;
- 5           d. A multidisciplinary team ~~that includes~~including the child's school district  
6           superintendent, the director of the child's special education unit, the child's  
7           classroom teacher, the child's physician, and the child's parent has determined  
8           that the child has a disability that renders attendance or participation in a regular  
9           or special education program inexpedient or impracticable; ~~or~~
- 10          e. The child is receiving home education; or
- 11          f. The child is a military-connected student engaging in virtual instruction under  
12          section 1 of this Act at the educational entity of the gaining or losing military  
13          installation, a student with a medical condition unable to physically attend school,  
14          or a student moving out of state and virtual instruction is allowed by the gaining  
15          or losing educational entity.
- 16          2. The period of virtual instruction under subdivision f of subsection 1 may not extend  
17          beyond the current school year.
- 18          3. A decision by the board of a school district under subsection 1 is appealable to the  
19          district court.

20          **SECTION 3.** A new section to chapter 15.1-29 of the North Dakota Century Code is created  
21 and enacted as follows:

22          **Military-connected student - Average daily membership.**

23          A military-connected student engaging in virtual instruction under section 1 of this Act  
24 qualifies for average daily membership in the school district.