

2023 HOUSE HUMAN SERVICES

HB 1265

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

HB 1265
1/17/2023

Relating to growth and development and human sexuality curriculum.

Chairman Weisz called the meeting to order at 11:02 AM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present.

Discussion Topics:

- Sex Education
- Amendment
- North Dakota science content standards
- Human embryo/fetus development
- Pregnancy and human development education
- Scientific accuracy
- North Dakota health curriculum standards and changes
- Frequency of health education programs
- Cost of educational materials
- Required length of educational video on reproductive health

Rep. Anderson introduced HB 1265 with supportive testimony and proposed amendment (23.0582.02001) (#13844).

Sen. Myrdal spoke in support of HB 1265 with a video presentation.

<https://ndlegis.gov/downloads/bill-history-media-file/68-2023/hhms/hhms-01172023-HB1265-Myrdal.mp4>

Linda Thorson, State Director for Concerned Women for America (CWA) of North Dakota, offered testimony in support of HB 1265 (#13774).

Jacob Thompson, Policy Analyst for North Dakota Family Alliance Legislative Action, offered testimony in support of bill (#13782).

Kevin Hoherz, representing the North Dakota Council of Educational Leaders, offered testimony in opposition to bill (#13788).

Additional Written Testimony:

House Human Services Committee

HB 1265

1/17/2023

Page 2

Sierra Heitkamp, Legislative Director for the North Dakota Right to Life, supportive testimony (#13759).

Chairman Weisz adjourned the meeting at 11:37 AM.

Phillip Jacobs, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

HB 1265
1/25/2023

Relating to growth and development and human sexuality curriculum.

Chairman Weisz called the meeting to order at 3:09 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Brandon Prichard, Karen M. Rohr, and Jayme Davis present. Rep. Gretchen Dobervich virtually present. Rep. Todd Porter not present.

Discussion Topics:

- Committee work
- Amendments (23.0582.02001) (23.0582.02002)

Representative Anderson introduced HB 1265 with supportive testimony and proposed amendment (23.0582.02001) (#23598).

Representative Anderson moved to amend HB 1265 (23.0582.02001).

Seconded by Representative Rohr.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	N
Representative Jayme Davis	N
Representative Gretchen Dobervich	N
Representative Clayton Fegley	N
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	AB
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries: 9-4-1.

Vice Chairman Ruby moved to further amend HB 1265 as follows,

Page 1, line 16, remove “at least five minutes in duration,”

Page 2, line 1, remove “at least five minutes in duration,”

Representative Rohr seconded.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	N
Representative Gretchen Dobervich	N
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	AB
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 11-2-1.

Representative Prichard moved to add the language removed from previous amendment and amend HB 1265 (23.0582.02002)

Page 1, line 16, replace “five” with “at least three”

Page 2, line 1, replace “five” with “at least three”

Seconded by Representative Holle

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	N
Representative Matthew Ruby	N
Representative Karen A. Anderson	Y
Representative Mike Beltz	N
Representative Jayme Davis	N
Representative Gretchen Dobervich	N
Representative Clayton Fegley	N
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	AB

Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries: 7-6-1.

Representative Anderson moved a DO PASS as amended.

Seconded by Representative Prichard.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	N
Representative Jayme Davis	N
Representative Gretchen Dobervich	N
Representative Clayton Fegley	N
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	AB
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 9-4-1.

Bill Carrier: Representative Prichard.

Chairman Weisz adjourned the meeting at 3:26 PM.

Phillip Jacobs, Committee Clerk By: Leah Kuball

January 25, 2023

JA 1-25-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1265

Page 1, line 16, replace "five" with "three"

Page 2, line 1, replace "five" with "three"

Page 2, after line 7, insert:

"4. The superintendent of public instruction shall ensure the requirements of this section are included in the North Dakota science content standards."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1265: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1265 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "five" with "three"

Page 2, line 1, replace "five" with "three"

Page 2, after line 7, insert:

"4. The superintendent of public instruction shall ensure the requirements of this section are included in the North Dakota science content standards."

Renumber accordingly

2023 SENATE EDUCATION

HB 1265

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1265
3/13/2023

Relating to growth and development and human sexuality curriculum.

2:00 PM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Biology curriculum
- Pictures of baby in womb
- State standard

Rep Anderson, District 19, bill sponsor testified in support #24180.

Sen Myrdal, District 19, testified in support and showed a video made for students.

Davonne Eldridge, School Health Curriculum, Dept Public Instruction, answered questions.

Jim Upgren, Department Public Instruction, responded to a question.

Linda Thorson, ND Concerned Women testified in support via TEAMS #24015.

Kevin Hoherz, ND Council Educational Leaders, testified opposed #23987.

Additional written testimony:

Sierra Heitkamp, ND Right to Life, in support #24313.

Dr. Aimee Copas, ND Council Educational Leaders opposed #24198.

3:00 PM Chair Elkin closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1265
3/27/2023

Relating to growth and development and human sexuality curriculum.

4:09 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Committee action

Ann Ellefson, Dept Public Instruction, explained "health" vs "science". No written testimony.

Sen Conley moved amendment striking "science" line 14 and insert "health #27304

Sen Axtman seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES – 6 NO – 0 Absent – 0

Motion PASSED

Sen Conley moved a DO PASS as Amended.

Sen Beard seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	N
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES – 5 NO – 1 Absent – 0

Motion PASSED

Sen Wobbema will carry the bill.

4:25 PM Chair Elkin adjourned the meeting.

Pam Dever, Committee Clerk

23.0582.04001
Title.05000

Adopted by the Senate Education Committee

March 27, 2023

DR
181
3-27-23

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1265

Page 1, line 14, replace "life science" with "health"

Page 2, line 9, replace "science" with "health"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1265, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1265 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 14, replace "life science" with "health"

Page 2, line 9, replace "science" with "health"

Renumber accordingly

TESTIMONY

HB 1265



Chairman Robin Weisz and Members of the House Human Services Committee –

My name is Sierra Heitkamp and I am the Legislative Director for North Dakota Right to Life. I am testifying today to represent the interests of our 3700 members across the state of North Dakota.

Since the overturn of Roe V. Wade on June 24, 2022, there have been many questions regarding what this means for the direction of our organization. At North Dakota Right to Life, we questioned ourselves as to how our vision and goals may have to evolve moving forward to adequately protect those most vulnerable from conception to natural death. After many conversations, the answer became clear – not only will we continue our work in protecting life at all stages, but we also want to back legislation that educates our citizens and encourages life. A woman or family who finds themselves with an unexpected pregnancy should never feel that abortion is their only option to achieve a successful, happy life.

North Dakota Right to Life and its members support HB 1265 as we would like to see education on human development as to humanize the child that has been conceived. We often hear the argument that “it is just a clump of cells” or “the fetus isn’t a human, separate from its mother, until carried to term and delivered.” This is misinformation and due to the advancement of science and technology, we know that this is far from the truth. It is also important for us to note that this bill does not change the curriculum being taught in our public schools, but instead changes the North Dakota Life Science and Health Education Standards.

I myself first became involved in this pro-life fight in junior high. The Teens for Life chapter in Hankinson, ND was having their monthly meeting and I decided to attend to experience what a group like this did in educating our youth. Throughout the years I was involved, I heard from a girl not much older than me who had an unexpected pregnancy. She bravely explained her experience so that the other members may be able to understand that abortion was not the only option for her. We also watched human development videos during another meeting which was truly eye opening to me as a child in understanding that this is in fact not a “sack of cells,” but a human life in critical need of protection and love. The experiences from participating in these educational events truly shaped me into the advocate I am today and fuels my passion in protecting those most vulnerable from conception to natural death.

I ask this committee today for a **Do Pass recommendation on HB 1265** in order to positively encourage the education of our youth on the important lesson of human development in the womb.

Thank you for your time today and I am available by phone or email to answer any questions you may have.



Sincerely,

Sierra M Heitkamp

Sierra M Heitkamp
NDRL Legislative Director

CONCERNED
WOMEN *for* **AMERICA**
 LEGISLATIVE ACTION COMMITTEE

Date January 17, 2023
 House Human Service Committee
 Testimony in Support of HB 1265

Chairman Robin Weisz and members of the House Human Services Committee, I am Linda Thorson, State Director for Concerned Women for America (CWA) of North Dakota. Today, I am testifying for Concerned Women for America Legislative Action Committee in support of HB 1265.

As our state's largest public policy women's organization, we strongly support the provisions in HB 1265 as it meets the goal of providing quality education to a level of excellence in academic achievement.

My background is in education. I served as a speech-language pathologist in public schools for 26 years and received the 2015 Council for Exceptional Children Teacher of the Year Award.

HB 1265 provides content guidelines to our Life Science and Health Education Standards relating to "growth and development and human sexuality." It adds statements to be taught in the classroom regarding the use of digital imaging of human growth and development inside the womb to the Educational Benchmark outlined in our state standards.

First, I want to note the North Dakota Content Science Standards document was developed beginning in 2018. Superintendent of Public Instruction Kiersten Baesler describes the purpose for creating our State Science Standards in part of the [Forward](#) written in 2019:

"The North Dakota Constitution recognizes the importance of public education in nurturing prosperity, happiness, and a 'high degree of intelligence, patriotism, integrity, and morality.' Statewide academic content standards, and an assessment system that measures student progress, help us to reach these noble objectives. By using our new, challenging science standards to measure student achievement, we can monitor growth, address deficiencies, and ensure comparability of educational opportunity statewide."

Standards have been changed in the past. Seventeen changes are listed in the [North Dakota Science Content Standards](#) following the Introduction in the Documentation Revision Log found online. HB 1265 seeks to make minor changes to our Life Science and Health State Standards. The content description of a "high-quality, computer-generated rendering or animation showing the process of fertilization and every stage of human development inside the uterus, noting significant markers in cell growth and organ development for every week of pregnancy until

birth” provides a meaningful human growth development discussion in the Life Science classroom.

Animal and plant reproduction is part of the [North Dakota Life Science Education Content Standards](#). Adding “human growth and development” and “an oral, written or digital lesson, lecture or presentation about human biology related to pregnancy and human development inside the womb” to the benchmark in the Life Science curriculum provides students the current scientific evidence and should be provided in every school in our state.

Secondly, Personal Health (including Growth and Development) is one of the eight [Health Education Content Areas](#) outlined in the [North Dakota Health Education Content Standards K-12](#).

The first standard of the Health Education Content covers understanding concepts related to human growth and development, health promotion, and disease prevention. The Educational Standard is further described in Health Education Content Standard, 1.8.10 to be, “Explain the processes of conception, prenatal development, and birth.”

HB 1265 addresses the Health Education Standards to include “human growth and development discussion with ultrasound video showing the development of the brain, heart, sex organs, and other vital organs in early fetal development.” The specific language is related to pregnancy and human development inside the womb.

Lastly, on January 10, 2023, during a House Education Committee hearing, an educational expert, [Dr. Aimee Copas, Executive Director North Dakota Council Educational Leadership](#), was asked by Representative Eric James Murphy about the frequent occurrence of curriculum changes. Although HB 1265 does not require schools to change curricula but simply adds language to our State Standards, Dr. Copas’s perspective should be heard. She said, “Our world is transforming itself in an amazing rate. The way that information is rapidly changing is transforming at an amazing rate...I don’t know that we’re ever going to see a time where curriculum shifts are going to stop happening. I’ll frame it this way too, when in health care do things ever remain the same for more than a few years?”

I agree with Dr. Aimee Copas in our rapidly changing world of information. North Dakota Life Science and Health Education Standards must include digital images of human development covering every stage of development in the womb.

Best practices in education involve using a variety of instructional methods for [multi-model learning](#). The digital presentation of an ultrasound video, showing a developing and moving image of a human being in the womb, will enhance the classroom discussions in Health and Life Science classes in a positive and meaningful manner.

Concerned Women for America of ND urges you to vote “Do Pass” on HB 1265.



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Testimony Supporting House Bill 1265

Jacob Thomsen, Policy Analyst
North Dakota Family Alliance Legislative Action
January 17, 2023

Good Morning Chairman Weisz and honorable members of the House Human Services Committee. My name is Jacob Thomsen and I am a Policy Analyst with North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of House Bill 1265 and respectfully request that you render a “DO PASS” on this bill.

When I was in high school, I took a class called Health Careers. This class offered an overview of medical health and how the human body worked. In this class we watched a video that I would never forget. It was a movie titled *The Miracle of Life*. This movie was released in 1982 and had intricate details about how the human reproductive system worked and showed why the saying is “the miracle of life.” If you haven’t seen it, you should really watch it sometime. After we had watched the film, I wondered why a video like this had not been shown previously in other classes? Why am I only seeing this now as a senior in high school?

House Bill 1265 seeks to remedy this issue. It seeks to cover the miracle of life and educate our young citizens of North Dakota about how precious life really is.

At North Dakota Family Alliance Legislative Action, we believe that this education provides crucial information about life and how it comes to be. It is incredibly important that our young people understand how life begins and, in turn, understand the gravity of the journey of pregnancy. For these reasons, North Dakota Family Alliance Legislative Action requests that you render a “DO PASS” on House Bill 1265.

Thank you for the opportunity to testify, and I am now happy to answer any questions.



1 HB 1265

2 Testimony in Opposition

3 Chairman Weisz and members of the Human Services Committee. For the record my name
4 is Kevin Hoherz, I am representing the North Dakota Council of Educational Leaders
5 representing school leaders across North Dakota. I come to you in opposition to HB 1265.

6 Our opposition is from the standpoint of our position of curriculum determinations for
7 school districts. As a past school administrator, we wish for our school boards to wrap their
8 arms around a district with appropriate policy so their administrators and teachers can do a
9 great job. However as soon as they open their arms and dip their hands and fingers into the
10 internal operations, the security of good policy becomes compromised, and entities become
11 dysfunctional. Similarly, we view the legislatures' role with the state. We want them to wrap
12 their arms around all of us with good sound policy (law) and then allow the businesses,
13 entities, and schools to do their jobs and all should be better by that well-defined policy set
14 by the state. Understanding each other's role and how we can help our students is important.
15 It is possible too that some policy you may see introduced may be in the lanes of other groups
16 that would otherwise execute law. The legislature can open its arms a little too much and
17 dipping hands and fingers into what should be the job of NDDPI through content standards
18 development, and by our local boards that set curriculum for a district, teachers that execute
19 the approved curriculum by executing the content standards set forth by NDDPI and by
20 administrators who assure that has been completed. And then by their partner associations
21 to ensure that their members have the tools they need to be supported to best execute their
22 jobs.

23 Many school districts offer human growth and development and human sexuality instruction
24 through other curricula like health, AP Biology, Human Anatomy, and/or Career and
25 Technical Education courses like Child Development. It currently is not a standard in the life
26 science curriculum.



1 The North Dakota Council of Education Leaders and the group we represent are in
2 opposition of this bill based on the testimony provided. We feel that adding new curriculum
3 and standards should continue to follow the standard review process that is currently
4 implemented by the North Dakota Department of Public Instruction I am open to any
5 questions.

NORTH DAKOTA HOUSE OF REPRESENTATIVES



STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



COMMITTEES:

Human Services
Transportation

Representative Karen A. Anderson
District 19
14334 70th Street NE
Grafton, ND 58237-9138
Cell: 701-520-0559
kanderson@ndlegis.gov

House Bill 1265
House Human Service Committee
Representative Weisz, Chairman
January 17, 2023

Chairman Weisz and members of the House Human Service Committee
I am Representative Karen A. Anderson from District 19 from Grafton, North Dakota.

House Bill 1265 creates a new section to the ND Century Code, relating to growth and development and human sexuality curriculum. The purpose of the bill is to describe "Human growth and development discussion" to include an "oral, written, or digital lesson, lecture, or presentation about human biology related to pregnancy and human development inside the womb" to the benchmarks in our North Dakota Life Science and Health State Standards.

I have an amendment that I passed out.

I ask for your support for HB1265 and I would refer any questions to Sen. Myrdal who is a co-sponsor of the bill.
Thank you Chairman Weisz and committee members.

Rep. Karen A. Anderson
District 19, Grafton

23.0582.02001
Title.

Prepared by the Legislative Council staff for
Representative K. Anderson
January 16, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1265

Page 2, after line 7, insert:

- "4. The superintendent of public instruction shall ensure the requirements of this section are included in the North Dakota science content standards."

Renumber accordingly



1 HB 1265

2 Testimony in Opposition

3 Chairman Elkins and members of the Senate Education Committee. I
4 am representing the North Dakota Council of Educational Leaders
5 representing school leaders across North Dakota. I come to you in
6 opposition to HB 1265.

7 Our opposition is from the standpoint of our position of curriculum
8 determinations for school districts. As a past school administrator,
9 we wish for our school boards to wrap their arms around a district
10 with appropriate policy so their administrators and teachers can do
11 a great job. However as soon as they open their arms and dip their
12 hands and fingers into the internal operations, the security of good
13 policy becomes compromised, and entities become dysfunctional.
14 Similarly, we view the legislatures' role with the state. We want them
15 to wrap their arms around all of us with good sound policy (law) and
16 then allow the businesses, entities, and schools to do their jobs and
17 all should be better by that well-defined policy set by the state.
18 Understanding each other's role and how we can help our students is
19 important. It is possible too that some policy you may see introduced
20 may be in the lanes of other groups that would otherwise execute law.



1 The legislature can open its arms a little too much and dipping hands
2 and fingers into what should be the job of NDDPI through content
3 standards development, and by our local boards that set curriculum
4 for a district, teachers that execute the approved curriculum by
5 executing the content standards set forth by NDDPI and by
6 administrators who assure that has been completed. And then by
7 their partner associations to ensure that their members have the
8 tools they need to be supported to best execute their jobs.

9 Many school districts offer human growth and development and
10 human sexuality instruction through other curricula like health, AP
11 Biology, Human Anatomy, and/or Career and Technical Education
12 courses like Child Development. It currently is not a standard in the
13 life science curriculum.

14 The K12 Health Standards Standard 1 - Understand concepts related
15 to human growth and development, health promotion, disease
16 prevention.

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Health Education Content Standards Vertical Alignment

Standard 1: Understand concepts related to human growth and development, health promotion, disease prevention.				
K-2	3-5	6	7-8	9-12
1.2.1 Identify how health behaviors affect mental, emotional, physical, and social health.	1.5.1 Describe the relationship between health behaviors and mental, emotional, physical, and social health.	1.6.1 Analyze the relationship between health behaviors and personal health.	1.8.1 Analyze the relationship between health behaviors and personal health.	1.12.1 Predict how health behaviors can affect health status.
1.2.2 Recognize that there are multiple dimensions of health.	1.5.2 Identify examples of mental, emotional, physical, and social health.	1.6.2 Identify examples of mental, emotional, physical, and social health.	1.8.2 Describe the interrelationships of mental, emotional, physical, and social health in adolescence.	1.12.2 Analyze the interrelationships of mental, emotional, physical, and social health.
1.2.3 Describe ways to prevent contagious diseases.	1.5.3 Describe ways in which a safe and healthy school and community environment can promote personal health.	1.6.3 Describe how one's environment can promote personal health.	1.8.3 Analyze how the environment affects personal health.	1.12.3 Analyze how environment and personal health are interrelated.
		1.6.4 Describe how family history can affect personal health.	1.8.4 Describe how family history can affect personal health.	1.12.4 Analyze how genetics and family history can impact personal health.
1.2.4 Identify ways to prevent common childhood injuries.	1.5.4 Describe ways to prevent common childhood injuries and health problems.	1.6.5 Identify adolescent health problems.	1.8.5 Describe ways to reduce or prevent injuries and other adolescent health problems.	1.12.5 Formulate strategies to reduce or prevent injuries and health problems.
1.2.5 Describe why it is important to seek health care.	1.5.5 Describe when it is important to seek health care.	1.6.6 Explain how appropriate health care can promote personal health.	1.8.6 Explain how appropriate health care can promote personal health.	1.12.6 Analyze the relationship between access to health care and health status.
		1.6.7 Describe the benefits of and barriers to practicing health enhancing behaviors.	1.8.7 Describe the benefits of and barriers to practicing health enhancing behaviors.	1.12.7 Analyze the benefits of and barriers to practicing a variety of health enhancing behaviors.
		1.6.8 Examine the likelihood of injury or illness if engaging in unhealthy behaviors.	1.8.8 Examine the potential seriousness of injury and illness if engaging in unhealthy behaviors.	1.12.8 Examine personal susceptibility to and severity of injury, illness, or death if engaging in unhealthy behaviors.
1.2.6 Explain how responsibility changes as we grow older.	1.5.6 Explain the stages of mental, emotional, physical, and social growth and	1.6.9 Explain mental, emotional, physical, and	1.8.9 Identify the anatomical structures of the reproductive system.	1.12.9 Explain the functions of the reproductive system.

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	development in humans from infancy to late adulthood.	social changes that occur during adolescence.		
			1.8.10 Explain the processes of conception, prenatal development, and birth.	1.12.10 Describe prenatal and postnatal practices that can contribute to or threaten a healthy pregnancy for parent and child.
	1.5.7 Define abstinence in relation to health behaviors.	1.6.10 Define abstinence in relation to health behaviors.	1.8.11 Identify the benefits of abstinence and/or contraceptive methods.	1.12.11 Compare and contrast the advantages and disadvantages of abstinence and other contraceptive methods.
			1.8.12 Acknowledge differences among individuals regarding gender.	1.12.12 Acknowledge differences among individuals regarding gender.
1.2.7 Identify characteristics of healthy and unhealthy relationships with family, peers, and other adults.	1.5.8 Describe characteristics of healthy and unhealthy relationships with family, peers, and other adults.	1.6.11 Describe characteristics of healthy and unhealthy relationships with family, peers, and other adults.	1.8.13 Analyze characteristics of healthy and unhealthy relationships with family, peers, and other adults.	1.12.13 Analyze characteristics of healthy and unhealthy relationships with family, peers, and other adults.

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**CHAPTER 15.1-21
CURRICULUM AND TESTING**

15.1-21-01. Elementary and middle schools - Required instruction.

In order to be approved by the superintendent of public instruction, each public and nonpublic elementary and middle school shall provide to students instruction in:

1. English language arts, including reading, composition, creative writing, English grammar, and spelling.
2. Mathematics.
3. Social studies, including:
 - a. The United States Constitution;
 - b. United States history;
 - c. Geography;
 - d. Government; and
 - e. North Dakota studies, with an emphasis on geography, history, the federally recognized Indian tribes in the state, and agriculture of this state, in the fourth and eighth grades.
4. Science, including agriculture.
5. Physical education.
6. Health, including physiology, hygiene, disease control, and the nature and effects of alcohol, tobacco, and narcotics.

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

1. In order to be approved by the superintendent of public instruction, each public and nonpublic high school shall provide instruction in or make available to each student:
 - a. Four units of English language arts from a sequence that includes literature, composition, and speech;
 - b. Four units of mathematics, including:
 - (1) One unit of algebra II; and
 - (2) One unit for which algebra II is a prerequisite;
 - c. Four units of science, including:
 - (1) One unit of physical science; and
 - (2) One unit of biology;
 - d. Four units of social studies, including:
 - (1) One unit of world history;
 - (2) One unit of United States history, including Native American tribal history; and
 - (3) (a) One unit of problems of democracy; or
(b) One-half unit of United States government and one-half unit of economics;
 - e. One-half unit of health;
 - f. One-half unit of physical education during each school year, provided that once every four years the unit must be a concept-based fitness class that includes instruction in the assessment, improvement, and maintenance of personal fitness;
 - g. Two units of fine arts, at least one of which must be music;
 - h. Two units of the same foreign or native American language;
 - i. One unit of an advanced placement course or one unit of a dual-credit course; and
 - j. Two units of career and technical education from a coordinated plan of study recommended by the department of career and technical education and approved by the superintendent of public instruction.
2. In addition to the requirements of subsection 1, each public and nonpublic high school shall make available to each student, at least once every two years, one-half unit of North Dakota studies, with an emphasis on the geography, history, and agriculture of this state.

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2 The North Dakota Council of Education Leaders and the group we
3 represent are in opposition of this bill based on the testimony
4 provided. We feel that adding new curriculum and standards should
5 continue to follow the standard review process that is currently
6 implemented by the North Dakota Department of Public Instruction
7 I am open to any questions.

CONCERNED
WOMEN *for* AMERICA
LEGISLATIVE ACTION COMMITTEE

March 13, 2023
Senate Education Committee
Testimony in Support of HB 1265

Chairman Jay Elkin and members of the Senate Education Committee, I am Linda Thorson, State Director for Concerned Women for America (CWA) of North Dakota. Today, I am testifying for Concerned Women for America Legislative Action Committee in support of HB 1265.

As our state's largest public policy women's organization, we strongly support the provisions in HB 1265 as it meets the goal of providing quality education to a level of excellence in academic achievement.

My background is in education. I served as a speech-language pathologist in public schools for 26 years and received the 2015 Council for Exceptional Children Teacher of the Year Award.

HB 1265 provides content guidelines to our Life Science Standards and Health Education relating to "growth and development and human sexuality." It adds statements to be taught in the classroom regarding the use of digital imaging of human growth and development inside the womb to the Educational Benchmark outlined in our state standards.

First, I want to note the North Dakota Content Science Standards document was developed beginning in 2018. Superintendent of Public Instruction Kiersten Baesler describes the purpose for creating our State Science Standards in part of the [Forward](#) written in 2019:

"The North Dakota Constitution recognizes the importance of public education in nurturing prosperity, happiness, and a 'high degree of intelligence, patriotism, integrity, and morality.' Statewide academic content standards, and an assessment system that measures student progress, help us to reach these noble objectives. By using our new, challenging science standards to measure student achievement, we can monitor growth, address deficiencies, and ensure comparability of educational opportunity statewide."

Standards have been changed in the past. Seventeen changes are listed in the [North Dakota Science Content Standards](#) following the Introduction in the Documentation Revision Log found online. HB 1265 makes minor changes to enhance content by the addition of a "high-quality, computer-generated rendering or animation showing the process of fertilization and every stage of human development inside the uterus, noting significant markers in cell growth and organ

development for every week of pregnancy until birth” in order to provide a meaningful human growth development discussion in the Life Science classroom.

Animal and plant reproduction is part of the [North Dakota Life Science Education Content Standards](#). Adding “human growth and development” and “an oral, written or digital lesson, lecture or presentation about human biology related to pregnancy and human development inside the womb” to the benchmark in the Life Science curriculum provides students the current scientific evidence and should be provided in every school in our state.

Secondly, Personal Health (including Growth and Development) is one of the eight [Health Education Content Areas](#) outlined in the [North Dakota Health Education Content Standards K-12](#).

The first standard of the Health Education Content covers understanding concepts related to human growth and development, health promotion, and disease prevention. The Educational Standard is further described in Health Education Content Standard, 1.8.10 to be, “Explain the processes of conception, prenatal development, and birth.”

HB 1265 addresses the Health Education Standards to include “human growth and development discussion with ultrasound video showing the development of the brain, heart, sex organs, and other vital organs in early fetal development.” The specific language is related to pregnancy and human development inside the womb.

Lastly, on January 10, 2023, during a House Education Committee hearing, an educational expert, [Dr. Aimee Copas, Executive Director North Dakota Council Educational Leadership](#), was asked by Representative Eric James Murphy about the frequent occurrence of curriculum changes. Although HB 1265 does not require schools to change curricula, but simply adds language to our State Standards, Dr. Copas’s perspective should be heard. She said, “Our world is transforming itself in an amazing rate. The way that information is rapidly changing is transforming at an amazing rate...I don’t know that we’re ever going to see a time where curriculum shifts are going to stop happening. I’ll frame it this way too, when in health care do things ever remain the same for more than a few years?”

I agree with Dr. Aimee Copas in our rapidly changing world of information. North Dakota Life Science and Health Education Standards must include digital images of human development covering every stage of development in the womb.

Best practices in education involve using a variety of instructional methods for [multi-model learning](#). The digital presentation of an ultrasound video, showing a developing and moving image of a human being in the womb, will enhance the classroom discussions in Health and Life Science classes in a positive and meaningful manner.

Concerned Women for America of ND urges you to vote “Do Pass” on HB 1265.



NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL
600 EAST BOULEVARD
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Representative Karen A. Anderson

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Grafton, ND 58237-9138
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COMMITTEES:

Human Services
Transportation

HB1265

Mr.Chairman and members of the committee

For the record, I'm Rep. Karen A. Anderson from District 19 up in the NE corner at Grafton.

House Bill 1265 creates a new section to the ND Century code relating to the growth and development and human sexuality curriculum.

The purpose of the bill is to describe "Human growth and development discussion" to include an "oral, written or digital lesson, lecture, or presentation about human biology related to pregnancy and human development inside the womb."

The superintendent of public instruction shall ensure the requirements of this section are included in ND science content standards including a 3 minute human growth and development video.

There should be no fiscal impact as a result of HB 1265, as there are free resources available for schools to meet the requirements of this bill.

I ask for your support and encourage a do pass for HB1265.

Thank you Mr. Chairman Elkin and committee.

23.0582.04000

FIRST ENGROSSMENT

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1265

Introduced by

Representatives K. Anderson, Dyk, Heilman, Prichard, Rohr, Steiner
Senator Myrdal

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 growth and development and human sexuality curriculum.

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 **Growth and development and human sexuality curriculum - Content.**

7 1. As used in this section:

8 a. "Human growth and development discussion" means an oral, written, or digital
9 lesson, lecture, or presentation about human biology related to pregnancy and
10 human development inside the womb.

11 b. "Human sexuality instruction" means an oral, written, or digital lesson, lecture, or
12 presentation about sexual activity and pregnancy in the context of student health
13 or healthy relationships.

14 2. A school district's **life science** **health** curriculum must include human growth and
development

15 discussion. The human growth and development discussion must include:

16 a. A high-definition ultrasound video, at least three minutes in duration, showing the
17 development of the brain, heart, sex organs, and other vital organs in early fetal
18 development; and

19 b. A high-quality, computer-generated rendering or animation showing the process
20 of fertilization and every stage of human development inside the uterus, noting
21 significant markers in cell growth and organ development for every week of
22 pregnancy until birth.

23 3. A school district offering human sexuality instruction shall ensure human sexuality
24 instruction includes:

- 1 a. A high-definition ultrasound video, at least three minutes in duration, showing the
2 development of the brain, heart, sex organs, and other vital organs in early fetal
3 development; and
- 4 b. A high-quality, computer-generated rendering or animation showing the process
5 of fertilization and every stage of human development inside the uterus, noting
6 significant markers in cell growth and organ development for every week of
7 pregnancy until birth.
- 8 4. The superintendent of public instruction shall ensure the requirements of this section
9 are included in the North Dakota science health content standards.



Chairman Jay Elkin and Members of the Senate Education Committee –

My name is Sierra Heitkamp and I am the Legislative Director for North Dakota Right to Life. I am testifying today to represent the interests of our 3700 members across the state of North Dakota.

Since the overturn of Roe V. Wade on June 24, 2022, there have been many questions regarding what this means for the direction of our organization. At North Dakota Right to Life, we questioned ourselves as to how our vision and goals may have to evolve moving forward to adequately protect those most vulnerable from conception to natural death. After many conversations, the answer became clear – not only will we continue our work in protecting life at all stages, but we also want to back legislation that educates our citizens and encourages life. A woman or family who finds themselves with an unexpected pregnancy should never feel that abortion is their only option to achieve a successful, happy life.

North Dakota Right to Life and its members support HB 1265 as we would like to see education on human development as to humanize the child that has been conceived. We often hear the argument that “it is just a clump of cells” or “the fetus isn’t a human, separate from its mother, until carried to term and delivered.” This is misinformation and due to the advancement of science and technology, we know that this is far from the truth. It is also important for us to note that this bill does not change the curriculum being taught in our public schools, but instead changes the North Dakota Life Science and Health Education Standards.

I myself first became involved in this pro-life fight in junior high. The Teens for Life chapter in Hankinson, ND was having their monthly meeting and I decided to attend to experience what a group like this did in educating our youth. Throughout the years I was involved, I heard from a girl not much older than me who had an unexpected pregnancy. She bravely explained her experience so that the other members may be able to understand that abortion was not the only option for her. We also watched human development videos during another meeting which was truly eye opening to me as a child in understanding that this is in fact not a “sack of cells,” but a human life in critical need of protection and love. The experiences from participating in these educational events truly shaped me into the advocate I am today and fuels my passion in protecting those most vulnerable from conception to natural death.

I ask this committee today for a **Do Pass recommendation on HB 1265** in order to positively encourage the education of our youth on the important lesson of human development in the womb.

Thank you for your time today and I am available by phone or email to answer any questions you may have.



Sincerely,

Sierra M Heitkamp

Sierra M Heitkamp
NDRL Legislative Director



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23.0582.04001

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14 2. A school district's life-sciencehealth curriculum must include human growth and
15 development discussion. The human growth and development discussion must
16 include:

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18 development of the brain, heart, sex organs, and other vital organs in early fetal
19 development; and

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7 of fertilization and every stage of human development inside the uterus, noting
8 significant markers in cell growth and organ development for every week of
9 pregnancy until birth.
- 10 4. The superintendent of public instruction shall ensure the requirements of this section
11 are included in the North Dakota sciencehealth content standards.