

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1398
(Representatives Lefor, Bosch, Novak, O'Brien, Schreiber-Beck)
(Senators Rummel, Rust, Vedaa)

AN ACT to create and enact a new section to chapter 15.1-26 of the North Dakota Century Code, relating to computer science and cybersecurity instruction for adult learners; to amend and reenact sections 15.1-21-01, 15.1-21-02, and 15.1-21-02.2 of the North Dakota Century Code, relating to mandatory computer science and cybersecurity instruction and minimum requirements for high school graduation; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-21-01 of the North Dakota Century Code is amended and reenacted as follows:

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

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

1. Provide to students instruction in:

- ~~1.a.~~ English language arts, including reading, composition, creative writing, English grammar, and spelling.
- ~~2.b.~~ Mathematics.
- ~~3.c.~~ Social studies, including:
 - ~~a.(1)~~ The United States Constitution;
 - ~~b.(2)~~ United States history;
 - ~~c.(3)~~ Geography;
 - ~~d.(4)~~ Government; and
 - ~~e.(5)~~ 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.d.~~ Science, including agriculture.
- ~~5.e.~~ Physical education.
- ~~6.f.~~ Health, including physiology, hygiene, disease control, and the nature and effects of alcohol, tobacco, and narcotics.
- g. Computer science, including cybersecurity.

2. Develop a computer science and cybersecurity integration plan to ensure introduction to foundational computer science and cybersecurity knowledge. The board of a public school or school district shall approve a plan by July 1, 2024.

SECTION 2. AMENDMENT. Section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

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

1. ~~In order to~~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; and
 - k. One unit of computer science or cybersecurity.
2. In addition to the requirements of subsection 1, each public and nonpublic high school shall make:
 - a. 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; and
 - b. Develop a computer science and cybersecurity integration plan to ensure introduction to computer science and cybersecurity knowledge. The board of a public school or school district shall approve a plan by July 1, 2024.

3. Each unit which must be made available under this section must meet or exceed the state content standards, unless a school district or governing board of a nonpublic high school has adopted a mastery framework policy and awards units based on the successful completion of the relevant portions of the North Dakota learning continuum. A mastery framework policy adopted by a school district or governing board of a nonpublic high school must identify the portions of the North Dakota learning continuum which must be mastered for a student to attain units necessary for high school graduation under section 15.1-21-02.2.
4. For purposes of this section, unless the context otherwise requires, "make available" means that:
 - a. Each public high school and nonpublic high school shall allow students to select units over the course of a high school career from a list that includes at least those required by this section;
 - b. If a student selects a unit from the list required by this section, the public high school or the nonpublic high school shall provide the unit to the student; and
 - c. The unit may be provided to the student through any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.
5. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
6. If in order to meet the minimum requirements of this section a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall:
 - a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and
 - b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family.
7. The requirements of this section do not apply to alternative high schools or alternative high school education programs.
8. The requirements of subdivisions g and h of subsection 1 do not apply to the North Dakota youth correctional center.

SECTION 3. AMENDMENT. Section 15.1-21-02.2 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02.2. High school graduation - Minimum requirements. (Effective through July 31, 2025)

1. Except as provided in section 15.1-21-02.3 and subsection 2, the following twenty-two units of high school coursework constitute the minimum requirement for high school graduation:
 - a. Four units of English language arts from a sequence that includes literature, composition, and speech;
 - b. Three units of mathematics, which may include one unit of computer science approved by the superintendent of public instruction;

- c. Three units of science, consisting of:
 - (1) (a) One unit of biology;
 - (b) One unit of chemistry; and
 - (c) One unit of physics; or
 - (2) (a) One unit of biology;
 - (b) One unit of physical science; and
 - (c) One unit or two one-half units of any other science which may include one unit of computer science or cybersecurity approved by the superintendent of public instruction;
- d. Three units of social studies, including:
 - (1) One unit of United States history;
 - (2) (a) One-half unit of United States government and one-half unit of economics; or
 - (b) One unit of problems of democracy; and
 - (3) One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history;
- e. (1) One unit of physical education; or
- (2) One-half unit of physical education and one-half unit of health;
- f. Three units of:
 - (1) Foreign languages;
 - (2) Native American languages;
 - (3) Fine arts; or
 - (4) Career and technical education courses; and
- g. Any five additional units.
- 2. If approved by the board of a school district or nonpublic school, a school district or nonpublic school may develop eligibility criteria or programmatic requirements to allow a passing score on the relevant portions of the GED assessment to receive credit for the corresponding requirements of subdivisions a through d of subsection 1.

High school graduation - Minimum requirements. (Effective after July 31, 2025)

- 1. Except as provided in section 15.1-21-02.3 and subsection 2, the following twenty-two units of high school coursework constitute the minimum requirement for high school graduation:
 - a. Four units of English language arts from a sequence that includes literature, composition, and speech;
 - b. Three units of mathematics, which may include one unit of computer science approved by the superintendent of public instruction;
 - c. Three units of science, consisting of:

- (1)
 - (a) One unit of biology;
 - (b) One unit of chemistry; and
 - (c) One unit of physics; or
 - (2)
 - (a) One unit of biology;
 - (b) One unit of physical science; and
 - (c) One unit or two one-half units of any other science which may include one unit of computer science or cybersecurity approved by the superintendent of public instruction;
- d. Three units of social studies, including:
- (1) One unit of United States history, including Native American tribal history;
 - (2)
 - (a) One-half unit of United States government and one-half unit of economics; or
 - (b) One unit of problems of democracy; and
 - (3) One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history;
- e.
 - (1) One unit of physical education; or
 - (2) One-half unit of physical education and one-half unit of health;
- f. Three units of:
- (1) Foreign languages;
 - (2) Native American languages;
 - (3) Fine arts; or
 - (4) Career and technical education courses; and
- g. Any five additional units; and
- h. One unit of computer science or cybersecurity whether under subdivision b, c, or both.
- i. The requirements of subdivision h of subsection 1 are waived if the student has completed a computer science and cybersecurity integration plan approved by the school board.
2. If approved by the board of a school district or nonpublic school, a school district or nonpublic school may develop eligibility criteria or programmatic requirements to allow a passing score on the relevant portions of the GED assessment to receive credit for the corresponding requirements of subdivisions a through d of subsection 1.

SECTION 4. A new section to chapter 15.1-26 of the North Dakota Century Code is created and enacted as follows:

Authority - Adult learning - Computer operations and cybersecurity instruction.

The superintendent of public instruction shall provide grants not to exceed three hundred thousand dollars total to school districts, nonpublic schools, area career and technology centers, job service North Dakota workforce centers, public libraries, adult education centers and learning centers that

qualify as nonprofit entities under section 501(c)(3) of the federal Internal Revenue Code [26 U.S.C. 501(c)(3)] to offer computer operations and cybersecurity courses for adults, for the biennium beginning July 1, 2023, and ending June 30, 2025.

School districts, nonpublic schools, public libraries, area career and technology centers, job service North Dakota workforce centers, adult education centers and learning centers that qualify as nonprofit entities under section 501(c)(3) of the federal Internal Revenue Code [26 U.S.C. 501(c)(3)] shall use all or part of the grant money to pay a stipend to a teacher of the course.

The superintendent of public instruction shall create guidance to implement the grant program.

SECTION 5. EXPIRATION DATE. Section 4 of this Act is effective through June 30, 2025, and after that date is ineffective.

Dennis E Johnson
Speaker of the House

Tammy Miller
President of the Senate

Bull J. Reich
Chief Clerk of the House

David Meyer
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1398.

House Vote: Yeas 81 Nays 11 Absent 2

Senate Vote: Yeas 44 Nays 1 Absent 2

Bull J. Reich
Chief Clerk of the House

Received by the Governor at 10:08 AM on March 21, 2023.

Approved at 9:39 AM on March 24, 2023.

Doug Burgum
Governor

Filed in this office this 24th day of March, 2023,
at 9:56 o'clock A. M.

Michael Howe
Secretary of State