

FIRST ENGROSSMENT
House Amendments - Minority Report
ENGROSSED HOUSE BILL NO. 1461

Introduced by

Representatives Kasper, Rick C. Becker, Belter, Dosch, Kempenich, Ruby, Streyle,
Thoreson, Vigesaa

Senators Bowman, Dever, Larsen

1 A BILL for an Act to create and enact two new sections to chapter 15.1-02 and a new section to
2 chapter 15.1-21 of the North Dakota Century Code, relating to contractual obligations and the
3 suspension of state assessments; to provide for the creation of a North Dakota standards
4 development committee; and to declare an emergency.

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

6 **SECTION 1.** A new section to chapter 15.1-02 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Withdrawal from contractual obligations.**

- 9 1. On the effective date of this Act, the superintendent of public instruction shall provide
10 written notification to any and all parties with whom the superintendent has contracted
11 and indicate that the state of North Dakota, whether as a state or acting by and
12 through the superintendent of public instruction, in the superintendent's capacity as
13 the chief administrative officer of the North Dakota department of public instruction, is
14 required by this section to withdraw immediately from all participation in or obligations
15 otherwise incurred as a result of the contract, if the contract was signed before the
16 effective date of this Act and if the contract in any way, directly or indirectly, pertains to
17 content standards or the assessment of North Dakota students.
- 18 2. On the effective date of this Act, the superintendent of public instruction shall provide
19 to the legislative management a certified copy of all notifications of immediate
20 withdrawal required under subsection 1, together with a sworn or affirmed statement
21 that the superintendent of public instruction has no knowledge of any other documents
22 or commitments that fall within the expressed requirements or the expressed intent of
23 this section.

1 **SECTION 2.** A new section to chapter 15.1-02 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Superintendent of public instruction - Authority - Limitation.**

- 4 1. Without statutory authorization by the legislative assembly, the superintendent of
5 public instruction may not commit this state or any political subdivision of this state to
6 participate, at any level, in any organization, consortium, association, or like entity, if
7 the participation requires, will require, or potentially could require either an expenditure
8 of public funds or changes in the laws of this state.
- 9 2. Without statutory authorization by the legislative assembly, the superintendent of
10 public instruction may not be a signatory to any document that commits this state or
11 any political subdivision of this state to participate, at any level, in any organization,
12 consortium, association, or like entity, if the participation requires, will require, or
13 potentially could require either an expenditure of public funds or changes in the laws of
14 this state.

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

17 **State assessments - Administration - Suspension.**

18 Notwithstanding any other law, the administration of state assessments is suspended for
19 the period beginning with the effective date of this Act and ending on June 30, 2017.

20 **SECTION 4. NORTH DAKOTA CONTENT STANDARDS DEVELOPMENT**

21 **COMMITTEE - DUTIES.**

- 22 1. The North Dakota content standards development committee consists of:
- 23 a. One individual who is a content expert in the area of English language arts and
24 currently employed at an institution of higher education in this state;
- 25 b. One individual who is a content expert in the area of mathematics and currently
26 employed at an institution of higher education in this state;
- 27 c. One school district superintendent employed by a district that is not similar in size
28 to that which employs the individual referenced in subdivision d;
- 29 d. One school or school district administrator other than a superintendent;
- 30 e. One individual with a master's degree currently employed by the board of a
31 school district in this state to teach English language arts at the high school level;

- 1 f. One individual with a master's degree currently employed by the board of a
2 school district in this state to teach mathematics at the high school level;
- 3 g. One individual with a master's degree currently employed by the board of a
4 school district in this state to teach English language arts at the elementary level;
- 5 h. One individual with a master's degree currently employed by the board of a
6 school district in this state to teach mathematics at the elementary level;
- 7 i. One individual who by education and experience is familiar with educational
8 technology; and
- 9 k. Four members of the legislative assembly.
- 10 2. a. Each individual referenced in subsection 1 must be selected by a panel
11 consisting of the speaker of the house of representatives, the president pro
12 tempore of the senate, the majority and the minority leader of the house of
13 representatives, and the majority and the minority leader of the senate.
- 14 b. Each individual referenced in subsection 1 must be selected with due regard to
15 the creation of a committee that has balanced perspectives and the capability of
16 fairly and objectively assessing all information to come before it.
- 17 3. The committee shall meet at the call of the superintendent of public instruction, who
18 shall serve as the chairman. The superintendent of public instruction may cast a vote
19 only if needed to break a tie.
- 20 4. a. The committee shall develop North Dakota content standards for each grade
21 from kindergarten through twelve, in the areas of English language arts and
22 mathematics.
- 23 b. The standards must be internationally benchmarked to ensure that North Dakota
24 students are prepared to achieve and succeed in a knowledge-based globally
25 competitive society and economy. For purposes of this subdivision,
26 "internationally benchmarked" means highly correlated to standards used in
27 high-performing countries, as defined in accordance with scholastic performance
28 rankings published by the program for international student assessment and the
29 trends in international mathematics and science study.

1 5. Before August 1, 2016, the committee shall present the completed content standards
2 to the legislative management, together with any recommendations regarding the
3 adoption of the standards.

4 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.