

**HOUSE BILL NO. 1472**

Introduced by

Representatives Morton, Bolinske, Hendrix, Kasper, Koppelman, S. Olson

Senators Boehm, Clemens, Powers

1 A BILL for an Act to create and enact a new chapter to title 15.1 of the North Dakota Century  
2 Code, relating to the authorization of microschoools.

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

4 **SECTION 1.** A new chapter to title 15.1 of the North Dakota Century Code is created and  
5 enacted as follows:

6 **Definitions.**

7 As used in this chapter:

- 8 1. "Collegiate model school" means a school requiring a student to attend classes in  
9 person two to three days per week and complete assignments virtually or remotely two  
10 to three days per week.
- 11 2. "Microschool" means a school providing educational programming to no more than  
12 fifty students. The term does not include:
- 13 a. A home education provider;
- 14 b. A public or nonpublic school;
- 15 c. A day care center, child care facility, preschool, headstart program, or nursery  
16 school;
- 17 d. An individual providing private individual or small group lessons, including music  
18 lessons or tutoring; or
- 19 e. A tutoring center.
- 20 3. "Parent" means the parent or guardian of a child under the age of eighteen.
- 21 4. "Primary education" means a program of education for a student in kindergarten  
22 through grade twelve, including grade level appropriate instruction in:
- 23 a. English language arts, including reading, composition, creative writing, English  
24 grammar, and spelling;

- 1           b. Mathematics;
- 2           c. Social studies; and
- 3           d. Science.
- 4       5. "Teacher" means an individual who provides primary education to a student at a
- 5           microschool.

6       **Microschools.**

7       A microschool:

- 8       1. Shall provide primary education to at least one student and may charge tuition.
- 9       2. May operate in a residential property, accessory dwelling unit, farm or homestead,
- 10       nonresidential property, or public space, including a church, library, community center,
- 11       museum, or park.
- 12       3. May be operated by one or more parents, entrepreneurs, or teachers.
- 13       4. May use the collegiate model school.
- 14       5. Is a permitted use in all zoning districts within a municipality. Each land use application
- 15       for approval required for a microschool, including an application for a building permit,
- 16       must be processed on a first priority basis.
- 17       6. Shall ensure a teacher has obtained a high school diploma or equivalent.

18       **Notice required - Compulsory attendance.**

- 19       1. The parent of a child participating in a microschool shall provide notice to the
- 20       superintendent of the child's school district of residence or if no superintendent is
- 21       employed, to the county superintendent of schools for the child's county of residence.
- 22       The notice must include:
- 23       a. The name, address, and age of the child;
- 24       b. The name and address of the microschool the child will attend;
- 25       c. Any public school courses in which the child intends to participate and the school
- 26       district offering the courses; and
- 27       d. Any extracurricular activities in which the child intends to participate and the
- 28       school district offering the activities.
- 29       2. A parent whose child is participating in a microschool satisfies the compulsory
- 30       attendance requirements under section 15.1-20-01.

1        **Assessments - Records of academic progress - Diploma.**

- 2        1. While in grades four, six, eight, and ten, each child participating in a microschool shall  
3        take:
- 4        a. A nationally normed standardized achievement test in the subjects of reading,  
5        language, mathematics, science, and social studies, which must be administered  
6        in accordance with the instructions of the selected test and by a qualified person  
7        under the test's published guidelines;
- 8        b. An assessment embedded in a nationally recognized, research-informed  
9        curriculum; or
- 10       c. An equivalent alternative academic assessment of proficiency or progress.
- 11       2. A parent shall maintain an annual record of courses and academic progress  
12       assessments, including standardized achievement test results, taken by the parent's  
13       child participating in a microschool. If the child transfers to a public school district, the  
14       parent shall furnish the record to the superintendent of the child's school district of  
15       residence or other administrator upon request.
- 16       3. A child participating in a microschool may obtain a high school diploma under section  
17       15.1-23-17 in the same manner as a child receiving home education.

18       **Exemptions from laws and regulations - Discrimination - Prohibited.**

- 19       1. Except as required under this chapter, microschools are exempt from any law or rule  
20       related to:
- 21       a. Elementary and secondary education;
- 22       b. Teacher certification;
- 23       c. Criminal history record checks; and
- 24       d. Child care facilities, including building codes, fire codes, health codes, and food  
25       service regulations.
- 26       2. A school district or institution of higher education under the administration of the state  
27       board of higher education may not discriminate against a child participating in a  
28       microschool in admissions or other circumstance.