

SCHOOL CHOICE MATTERS

# North Dakota Policy Report

# Introduction

## PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

## CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

## POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



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CORE POLICIES



## Open Enrollment in North Dakota

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p><b>YES</b></p> <p>Mandatory policy requiring districts to accept all students where capacity exists</p>	<p>State statute establishes that, subject to age-based restrictions, each public school must be free, open, and accessible at all times to any child”.</p> <p><a href="#">(N.D.C.C. §15.1-06-01. Schools free and accessible - School ages)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul> <p>State statute establishes that a parent who wishes to enroll a student in a North Dakota school district other than the student’s district of residence must file an application for approval with the board of the admitting district and shall file a copy of the application with the student’s district of residence. The board of each school district must set standards for the acceptance and denial of applications for admittance under open enrollment, which may include (and may be limited to) standards addressing the capacity of a program, grade level, or school building. Standards are prohibited from addressing previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.</p> <p><a href="#">(N.D.C.C. Chapter 15.1-31 Open Enrollment)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul> <p>State statute prohibits the resident school district from denying open enrollment to an approved virtual school.</p> <p><a href="#">(N.D.C.C. §15.1-07-25.4. Virtual learning - School district policy - Report to legislative management and legislative assembly)</a></p> <ul style="list-style-type: none"> <li>• This section requires that the superintendent of public instruction adopt rules governing policies under this section. It also establishes that a policy adopted by a school district under this section must comply</li> </ul>

		<p>with the rules adopted by the superintendent of public instruction. No additional information of relevance to this policy element is provided. (See <a href="#">ND Admin. Rules Chapter 67-30-02 Virtual Schools</a>)</p>
<p><b>Transfers Within Districts</b></p>	<p><b>YES</b> Mandatory policy allowing students to transfer schools</p>	<p>State statute establishes that, subject to age-based restrictions, each public school must be free, open, and accessible at all times to any child. Intradistrict open enrollment is not specifically provided for in policy.</p> <p>(<a href="#">N.D.C.C. §15.1-06-01. Schools free and accessible - School ages</a>)</p> <ul style="list-style-type: none"> <li>This chapter does not authorize or require administrative rulemaking.</li> </ul>
<p><b>Year-round Transfer Window</b></p>	<p><b>LIMITED</b> Restricted transfer window</p>	<p>State statute establishes that “by March first of the school year preceding the year of enrollment, a parent who wishes to enroll a student in a North Dakota school district other than the student’s district of residence shall file an application for approval with the board of the admitting district and shall file a copy of the application with the student’s district of residence....Notice of intent to enroll in the admitting district obligates the student to attend the admitting district during the following school year unless the school boards of the resident and the admitting districts agree in writing to allow the student to transfer back to the resident district or the student’s parent relocates to another district....A student whose school district of residence does not offer the grade level in which the student requires enrollment may not participate in open enrollment.</p> <p>Both districts are to waive the statutory application, consideration, and approval dates for any student “who moves from the school district of residence to another school district and who wishes to enroll in a school district other than the district to which the student moved”, as well as for any student who “moves into this state from out of state and who wishes to enroll in a school district other than the district to which the student moved.”</p> <p>An exception from the established application deadline (permitting application and admission at any time during the year) is provided for students who are victims of violence occurring within the school in which the student was enrolled and the violence was documented; the superintendent of public instruction has declared the school in which the student was enrolled to be an unsafe school; or the superintendent of public instruction has identified the school in which the student was enrolled to require program improvement for six consecutive years.</p> <p>(<a href="#">N.D.C.C. Chapter 15.1-31 Open Enrollment</a>; <a href="#">15.1-31-08. Open enrollment - Transfer of students - Responsibility of district of residence</a>)</p> <ul style="list-style-type: none"> <li>This chapter does not authorize or require administrative rulemaking.</li> </ul>

<p><b>Tuition-Free Public Schools</b></p>	<p><b>YES</b> Prohibition on parent tuition</p>	<p>North Dakota Statute provides that upon transfer of a student, the board of the editing district and the board of the student’s school district of residence must enter into a tuition agreement. The student’s school district of residence shall reimburse the admitting district for all costs incurred by the admitting district in providing education for the student.</p> <p><a href="#">(N.D.C.C. §15.1-31-08 Open enrollment - Transfer of students - Responsibility of district of residence)</a></p> <p>Under North Dakota Administrative Code, charges of tuition are not prohibited; however, Administrative Code establishes that the board of public school education acts as the tuition appeals board for out-of-district high school students and for elementary and secondary students out of state for the payment of tuition. A hearing may be held to consider the appeal of a parent or guardian who is applying for the payment of tuition and the involved school districts.</p> <p><a href="#">(ND Admin. Code 68-01-01 Organization and functions of the board of public school education; see also ND Admin. Code 68-02-01 Tuition Appeals – Rules of Procedure)</a></p>
<p><b>School Capacity Transparency</b></p>	<p><b>NO</b> No transparency policy</p>	<p>North Dakota does not require school districts to publicly report capacity by school and grade level.</p>
<p><b>Transfer Data Transparency</b></p>	<p><b>NO</b> No transparency in data reporting</p>	<p>North Dakota does not require the state agency to collect and publicly report district-level open enrollment data.</p>
<p><b>Transparent Appeal Process</b></p>	<p><b>NO</b></p>	<p>North Dakota does not have a process for parents to appeal a denial of transfer.</p>

SOURCE CITATIONS

**Statutes**

[N.D.C.C. §15.1-06-01. Schools free and accessible - School ages](#)

[N.D.C.C. Chapter 15.1-31 Open Enrollment](#)

[N.D.C.C. §15.1-07-25.4. Virtual learning - School district policy - Report to legislative management and legislative assembly](#)

**Administrative Code**

[ND Admin. Code 68-01-01 Organization and functions of the board of public school education](#)

[ND Admin. Code 68-02-01 Tuition Appeals – Rules of Procedure](#)

[ND Admin. Code Chapter 67-30-02 Virtual Schools](#)



## Charter Schools in North Dakota

POLICY	RATING	POLICY OVERVIEW
Multiple Charter Authorizers	<p><b>LIMITED</b></p> <p>No real authorizer options</p>	<p>Charter schools are only authorized by the superintendent of public instruction.</p> <p><a href="#">(N.D.C.C. § 15.1-40 Public Charter Schools)</a></p>
Charter Appeal Process	<p><b>NO</b></p> <p>No appeals process</p>	<p>North Dakota statute does not provide for an opportunity to appeal a decision by the Superintendent of Public Instruction.</p>
Charter Regulatory Flexibility	<p><b>LIMITED</b></p> <p>Some or no facilities funding</p>	<p>Charter schools in North Dakota are given broad exemptions to mandates. According to statute, they are not subject to state or local laws, rules, regulations, policies or procedures related to education. There are, however, no teacher licensure exemptions for charter schools.</p> <p><a href="#">(N.D.C.C. § 15.1-40 Public Charter Schools)</a></p>
Equitable Charter Funding	<p><b>TBD</b></p>	<p>Charter schools in North Dakota receive a statewide average of state funding provided to traditional public schools. Charter schools do not receive local funding, which is a substantial portion of school funding in North Dakota. The funding provided to charter schools is not weighted for student need, in contrast to funding for students attending traditional public schools in the state. Charter schools are also expected to receive a proportional share of state categorical and federal funding, provided certain conditions are met. Federal funding in North Dakota is significant.</p>
Charter Facilities Funding	<p><b>LIMITED</b></p> <p>Some or no facilities funding</p>	<p>North Dakota is not meeting any of the facility needs of charter schools through direct state or local funding, no- or low-cost access to surplus district buildings, or affordable financing to purchase or build facilities. Traditional public schools in the state rely heavily on local facility funding, but charter schools do not receive any of this revenue.</p>

<p>Options for High-Performing Charters</p>	<p><b>LIMITED</b> No opportunities for high-performing charter schools</p>	<p>No additional benefits are granted to high-performing charter schools as a matter of law. <a href="#">(N.D.C.C. § 15.1-40 Public Charter Schools)</a></p>
<p>Charter Zoning Exemptions</p>	<p><b>LIMITED</b> Less than full protections</p>	<p>No laws on zoning and ordinance exemptions. <a href="#">(N.D.C.C. § 15.1-40 Public Charter Schools)</a></p>



## Private School Choice in North Dakota

POLICY	OVERALL RATING	PROGRAM OVERVIEW
Universal Eligibility	<p><b>NO</b></p> <p>No choice program</p>	<p>North Dakota does not have a private school choice program.</p>
Comparable Student Funding	<p><b>NO</b></p> <p>No choice program</p>	
Uncapped Student Access	<p><b>NO</b></p> <p>No choice program</p>	
Extended Application Window	<p><b>NO</b></p> <p>No choice program</p>	
Student Testing Options	<p><b>NO</b></p> <p>No choice program</p>	
School Autonomy	<p><b>NO</b></p> <p>No choice program</p>	

<p>Accessible School Participation</p>	<p><b>NO</b> No choice program</p>	
<p><b>ESAs and Parent-Directed Spending</b></p>		
<p>Freedom to Customize</p>	<p><b>NO</b> No ESA or microgrant program</p>	<p>North Dakota does not have an education savings account or microgrant program.</p>
<p>Freedom to Access</p>	<p><b>NO</b> No ESA or microgrant program</p>	
<p>Carry-Over Funding</p>	<p><b>NO</b> No ESA or microgrant program</p>	
<p><b>Tax Credits</b></p>		
<p>Full Tax Credit</p>	<p><b>NO</b> No choice program</p>	<p>State statute establishes a Nonprofit Private School Contribution Credit, among permissible Income Tax Exemptions.</p> <p><b>Individual Taxpayers and C-Corporations</b> For individual taxpayers, options include a tax credit in an amount equal to 50% of the aggregate of charitable contributions made by the taxpayer during the year in any of three categories of eligible institutions:</p> <ul style="list-style-type: none"> <li>• nonprofit private institutions of higher education within the state or to the North Dakota independent college fund;</li> <li>• nonprofit private institutions of secondary education, located within the state; and</li> </ul>

		<ul style="list-style-type: none"> <li>• nonprofit private institutions of primary education located within the state.</li> </ul> <p>The amount allowable as a credit in any taxable year may not exceed 50% of the taxpayer’s total income for the year, or \$2,500.00, whichever is less.</p> <p><b>Pass-Through Entities, Estates and Trusts</b></p> <p>As described on the state’s <a href="#">NDTax Nonprofit Private School Contribution Credit webpage</a>, the amount of the credit allowed in a tax year for each category of school is determined by multiplying the contributions made directly to eligible schools within a category by 50%. An estate or trust that receives a nonprofit private credit from another passthrough entity may either retain the credit or pass it through to its beneficiaries.</p> <p><a href="#">(N.D.C.C. § 57-38-01.7 Income tax credit for charitable contributions - Limitation)</a></p> <ul style="list-style-type: none"> <li>• No related rules found within the Administrative Code.</li> </ul>
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**SOURCE CITATIONS**

<p><b>Statutes</b></p> <p><a href="#">N.D.C.C. § 57-38-01.7 Income tax credit for charitable contributions - Limitation</a></p>	<p><b>Other Resources</b></p> <p><a href="#">NDTax, Nonprofit Private School Contribution Credit</a></p>
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## Homeschooling in North Dakota

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p><b>YES</b> No permission required</p>	<p>State statute authorizes and defines Home Education as limited to education supervised by a child’s parent or legal guardian. Supervision is defined to mean the selection of materials, determination of an educational philosophy, and oversight of the method, manner, and delivery of instruction.</p> <p><a href="#">(N.D.C.C. §15.1-23-01. Definitions)</a></p> <ul style="list-style-type: none"> <li>This chapter does not authorize or require administrative rulemaking.</li> </ul> <p>An eligible parent or guardian (<i>see qualifications, below</i>) is not required to receive permission from a local school board or an administrative body to supervise Home Education.</p>
<p>No Extra Homeschool Notifications</p>	<p><b>NO</b> Annual notification</p>	<p>State statute requires a parent intending to supervise or supervising home education to file a statement, reflecting that intent or fact, with the superintendent of the child's school district of residence, or if no superintendent is employed, with the county superintendent of schools for the child's county of residence. Such filing must take place at least five days before beginning home education or within fourteen days of establishing a child's residence in a school district, and once each year thereafter.</p> <p><a href="#">(N.D.C.C. §15.1-23-02. Statement of intent to supervise home education)</a></p> <ul style="list-style-type: none"> <li>This chapter does not authorize or require administrative rulemaking.</li> </ul>

<p><b>No Certification to Homeschool</b></p>	<p><b>YES</b></p> <p>No certification requirement</p>	<p>State statute does not require a parent supervising home education to possess state teacher certification.</p> <p>However, it does establish qualifications for parents intending to supervise or supervising home education. Such qualifications limit the authority to supervise home education to a parent who holds a high school diploma or a general educational diploma or meets other established requirements under which the parent may supervise home education only if monitored by an individual assigned by the school district for the first 2 years, and, following any year in which the child obtains a basic composite standardized achievement test score below the 50<sup>th</sup> percentile nationally, monitoring for an additional year or until the child scores above the 50<sup>th</sup> percentile.</p> <p><a href="#">(N.D.C.C. § 15.1-23-03. Home education - Parental qualifications; N.D.C.C. §15.1-23-06. Home education - Required monitoring of progress)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul>
<p><b>Flexible Assessment Options</b></p>	<p><b>YES</b></p> <p>Flexible academic accountability</p>	<p>State statute establishes that, while in grades four, six, eight, and ten, each child receiving home education shall take:</p> <ol style="list-style-type: none"> <li>(1) A standardized achievement test used by the school district in which the child resides; or</li> <li>(2) A nationally normed standardized achievement test, if requested by the child's parent.</li> </ol> <p>This requirement is waived if the parent notifies the school district that the parent has a philosophical, moral, or religious objection to the use of standardized achievement tests or, the parent: is a licensed teacher; holds a baccalaureate degree; or has met or exceeded the cutoff score of a national teacher examination.</p> <p><a href="#">(N.D.C.C. §15.1-23-09. Home education - Standardized achievement test - Exemption)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul>

SOURCE CITATIONS

**Statutes**

[N.D.C.C. Chapter 15.1-23 Home Education](#)

**State Department of Education**

[ND DPI Home Education webpage](#)

[ND DPI Home Education FAQs](#)

[ND DPI Home Education – Statement of Intent – Statutory Requirements](#)

[ND DPI Home Education – Supervision Guidance](#)

POLICY ENHANCERS



## Part-time Enrollment in North Dakota

POLICY	RATING	POLICY OVERVIEW
<p><b>Resident Course Access</b></p>	<p><b>LIMITED</b></p> <p>By type of student, type of course, or district policy</p>	<p>State statutes and the Administrative Code are silent regarding the ability of nonpublic school students to participate in core and elective courses provided by public school districts.</p> <p>State statute does not explicitly require school districts to provide course access to students engaging in Home Education; however, several provisions, as well as ND DPI materials, seem to anticipate that a parent supervising Home Education can elect to have the student participate in courses offered by any school district.</p> <p>In particular, state statute requires a parent intending to supervise or supervising home education to file a statement of intent with the superintendent of the child’s school district of residence. Such filing must take place at least five days before beginning home education or within fourteen days of establishing a child's residence in a school district, and once each year thereafter. It must include, among other details:</p> <ul style="list-style-type: none"> <li>• <b>Any public school courses in which the child intends to participate and the school district offering the courses</b> (emphasis added)</li> </ul> <p><a href="#">(N.D.C.C. §15.1-23-02. Statement of intent to supervise home education)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul> <p>ND DPI guidance explains that the statutory definition of “supervision” that is required of a parent, “is most significant, as the previous law only allowed the child’s parent to educate the child. The only way a parent could have another person (virtually or in person) educate their child was if the parent was physically present and acting as a filter for all curriculum. This law gives parents freedom to choose how the child is educated, however it must be noted the parent is still solely responsible for their child’s education...The 2019 Home Education</p>

		<p>version of the Century Code clarifies that a parent may choose any way they see fit to educate their child. This may be virtually, through independent classes, work study, public school, etc.”</p> <p><a href="#">(ND DPI Home Education – Supervision Guidance)</a></p> <p>Administrative Code establishes that the “board of public school education is responsible for the supervision of the division of independent study acting through the superintendent of public instruction.” However, no information was found on the ND DPI website regarding independent study opportunities.</p> <p><a href="#">(ND Admin. Code 68-01-01 Organization and functions of the board of public school education.)</a></p>
<p><b>Nonresident Course Access</b></p>	<p><b>LIMITED</b></p> <p>Districts only serve resident students or can impose other restrictions</p>	<p>State statutes and the Administrative Code are silent regarding the ability of nonpublic school students to participate in core and elective courses provided by public school districts.</p> <p>State statute does not explicitly require school districts to provide course access to students engaging in Home Education; however, several provisions, as well as ND DPI materials, seem to anticipate that a parent supervising Home Education can elect to have the student participate in courses offered by any school district.</p> <p>In particular, state statute requires a parent intending to supervise or supervising home education to file a statement of intent with the superintendent of the child’s school district of residence. Such filing must take place at least five days before beginning home education or within fourteen days of establishing a child's residence in a school district, and once each year thereafter. It must include, among other details:</p> <ul style="list-style-type: none"> <li>• <b>Any public school courses in which the child intends to participate and the school district offering the courses</b> (emphasis added)</li> </ul> <p><a href="#">(N.D.C.C. §15.1-23-02. Statement of intent to supervise home education)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul> <p>ND DPI guidance explains that the statutory definition of “supervision” that is required of a parent, “is most significant, as the previous law only allowed the child’s parent to educate the child. The only way a parent could have another person (virtually or in person) educate their child was if the parent was physically present and acting as a filter for all curriculum. This law gives parents freedom to choose how the child is educated, however it must be noted the parent is still solely responsible for their child’s education...The 2019 Home Education version of the Century Code clarifies that a parent may choose any way they see fit to educate their child. This may be virtually, through independent classes, work study, public school, etc.”</p>

		<p><a href="#">(ND DPI Home Education – Supervision Guidance)</a></p>
<p>Virtual Course Access</p>	<p><b>LIMITED</b></p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>State statute establishes the North Dakota Center for Distance Education to provide kindergarten through grade twelve courses, comprehensive educational support, and high school diplomas. Students exempt from the compulsory school attendance laws, which include a child in attendance (for the same length of time required of public school students) at an approved nonpublic school, as well as a child receiving home education, as provided for in N.D.C.C. §15.1-20-02) may enroll in distance education courses offered through NDCDE and study their center for distance education lessons in their learning environment under the supervision of a parent.</p> <p>Statute also authorizes the NDCDE to provide services to persons who are not North Dakota residents, through an agreement entered into with a regionally accredited postsecondary institution to provide high school and postsecondary credit for the completion of an academic course.</p> <p><a href="#">(N.D.C.C. §15-19-01. North Dakota center for distance education courses - Establishment -Enrollment of students - Courses of instruction)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul> <p>As described by ND DPI, “a student enrolled in a North Dakota public school can request to take any course they choose through the <a href="#">North Dakota Center for Distance Education (NDCDE)</a>. All costs related to the course are incurred by the school district. This could include courses currently offered by the district or not.” To qualify, the student must be present in the school building for at least half of the school day. In addition, the school can require the student to take the NDCDE course in the school building.</p> <p>ND DPI also explains that students can elect to take one or all of their courses through NDCDE if they pay themselves. Options for “Parent Pay” include (1) becoming a full-time CDE student by registering in their home districts as a homeschooled student; or (2) remaining in their home district, purchasing and paying for courses through CDE and taking the course outside of school hours.</p> <p><a href="#">(ND DPI - Virtual Education Options webpage; see also ND DPI FAQs on HB1376; NDCDE website)</a></p> <p><b>North Dakota’s Center for Distance Education (NDCDE)</b></p> <p>As described by ND DPI, “a student enrolled in a North Dakota public school can request to take any course they choose through the NDCDE. All costs related to the course are incurred by the school district. This could include courses currently offered by the district or not.” To qualify, the student must be present in the school building for at least half of the school day. In addition, the school can require the student to take the NDCDE course in the school building.</p>

		<p>ND DPI also explains that students can elect to take one or all of their courses through NDCDE if they pay themselves. Options for “Parent Pay” include (1) becoming a full-time CDE student by registering in their home districts as a homeschooled student; or (2) remaining in their home district, purchasing and paying for courses through CDE and taking the course outside of school hours.</p> <p><a href="#">(ND DPI - Virtual Education Options webpage; see also ND DPI FAQs on HB1376; NDCDE website)</a></p> <p>NDCDE course fees for students enrolled in a public school and enrolled in NDCDE by the district are paid by the district. Courses are open to children in home education and nonpublic schools, but course costs are paid by the parent/family. As described by NDCDE, limitations are as follows:</p> <ul style="list-style-type: none"> <li>• Please note that if you are a North Dakota public school student or parent and you would like <b>your district to pay the cost of your courses, your school or district must enroll you</b> in NDCDE courses. Please contact your school or district for more information. Homeschooled families self-pay for NDCDE courses. Out-of-state students should check with their schools to determine who covers NDCDE course costs and the person or entity covering the cost should complete the enrollment process. North Dakota parents/students are responsible for paying for dual credit courses. Guidance on paying for dual credit courses will be provided during the dual credit enrollment process.</li> </ul> <p><a href="#">(NDCDE - How to enroll (webpage))</a></p>
<p>Extracurricular Access</p>	<p><b>LIMITED</b></p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p><b>Homeschool Students</b></p> <p>State statute requires a parent intending to supervise or supervising home education to file a statement of intent with the superintendent of the child’s school district of residence. Such filing must take place at least five days before beginning home education or within fourteen days of establishing a child's residence in a school district, and once each year thereafter. It must include, among other details:</p> <ul style="list-style-type: none"> <li>- Any extracurricular activities in which the child intends to participate and the school district or approved nonpublic school offering the activities.</li> </ul> <p><a href="#">(N.D.C.C. §15.1-23-02. Statement of intent to supervise home education)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul> <p><b>Virtual School Students</b></p> <p>As described by ND DPI, pursuant to <a href="#">House Bill (HB) 1376</a>, parents can open-enroll their students in any virtual school across the state; however, students “enrolled in a virtual academy many miles from their district of</p>

residence are not entitled to play sports or participate in activities in their district of residence – unless a co-op has been formed.”

[\(ND DPI - Virtual Education Options; see also ND DPI FAQs on HB1376\)](#)

There are no requirements for making extra/cocurricular opportunities available to nonpublic school students.

**SOURCE CITATIONS**

**Statutes**

[House Bill 1376, North Dakota Legislature \(2023\)](#)

[N.D.C.C. Chapter 15-19 – Distance Education](#)

**Administrative Code**

[ND Admin. Code 67-30-02 Virtual Schools](#)

[ND Admin. Code 68-01-01 Organization and functions of the board of public school education.](#)

**State Department of Education**

[ND DPI Home Education – Supervision Guidance](#)

[ND DPI - Virtual Education Options webpage](#)

[ND DPI FAQs on HB1376](#)

[NDCDE website](#)

[NDCDE - How to enroll](#)



## Learn Everywhere in North Dakota

POLICY	RATING	POLICY OVERVIEW
<p>Provider Qualification Standard</p>	<p><b>LIMITED</b></p> <p>Multiple agencies oversee</p>	<p>State statute authorizes a board of a school district or governing board of a nonpublic school to adopt a policy to allow students enrolled in grades six through twelve to earn course credit through educational opportunities with a sponsoring entity. It requires that a policy adopted under this section provide criteria for:</p> <ul style="list-style-type: none"> <li>• The submission, approval, and evaluation of proposals for educational opportunities by sponsoring entities for which a student may earn course credit;</li> <li>• Sponsoring entity eligibility; and</li> <li>• Educational opportunity accountability.</li> </ul> <p>State statute also establishes that the board of a school district or governing board of a nonpublic school may approve a proposal from any eligible sponsoring entity that meets requirements, including that the proposal submitted:</p> <ul style="list-style-type: none"> <li>• Provides increased educational opportunities for students;</li> <li>• Improves the academic success of students; and</li> <li>• Identify a teacher of record who is employed by the school district or nonpublic school, is licensed under chapter 15.1-18, and has approved the proposal.</li> </ul> <p>Any participating school district or nonpublic school must provide evaluation data to the superintendent of public instruction. The superintendent may revoke program approval for failure to comply with agreed upon terms of the proposal, the school district policy, or statutory requirements.</p> <p><a href="#">(N.D.C.C. § 15.1-07-35. School districts - Policy - Alternative curriculum outside the classroom -Participation - Report to legislative management)</a></p> <ul style="list-style-type: none"> <li>• This section requires that the superintendent of public instruction adopt rules to administer this section.</li> </ul> <p>Administrative Code sections prescribing local policies for Educational Opportunities with Sponsoring Entities do not significantly elaborate on the statutory framework.</p>

		<a href="#">(ND Admin. Code 67-19-04 Educational Opportunities with Sponsoring Entities)</a>
Course Credit Standard	YES	<p>Administrative Code, with regard to establishing requirements for the proper award of course credit, only requires that a program proposal submitted by an eligible sponsoring entity to a public school district board or nonpublic governing board include both an assurance that courses meet course content standards established by the superintendent of public instruction and a statement of how students will demonstrate proficiency and be evaluated.</p> <p><a href="#">(ND Admin. Code 67-19-04 Educational Opportunities with Sponsoring Entities)</a></p>
Core Course Opportunities	YES	<p>State statute, in the board of a school district or governing board of a nonpublic school to adopt a Learn Everywhere policy, permits any such policy “to allow students enrolled in grades six through twelve to earn course credit through educational opportunities with a sponsoring entity. It does not distinguish between core and elective courses. However, it does define "educational opportunity" to mean “instruction outside the classroom which meets course content standards, as determined by the superintendent of public instruction. The term includes work-based learning, pre-apprenticeships, apprenticeships, internships, industry certifications, and community programs.” As such, statute appears to limit opportunities to those that meet state-adopted course content standards.</p> <p><a href="#">(N.D.C.C. § 15.1-07-35. School districts - Policy - Alternative curriculum outside the classroom -Participation - Report to legislative management)</a></p> <ul style="list-style-type: none"> <li>• This section requires that the superintendent of public instruction adopt rules to administer this section.</li> </ul> <p>Administrative Code sections prescribing local policies for Educational Opportunities with Sponsoring Entities do not differentiate between credit that may be awarded for core and elective courses.</p> <p><a href="#">(ND Admin. Code 67-19-04 Educational Opportunities with Sponsoring Entities)</a></p>
Central State List	LIMITED Not centralized	<p>State statute and Administrative Code establish the requirement that a school district or nonpublic school providing educational opportunities with sponsoring entities is to provide program evaluation data to the superintendent of public instruction on an annual basis. There is no requirement that this data include a list of approved providers and assessments or that any such list is otherwise maintained at the state, district or school level.</p>

([N.D.C.C. § 15.1-07-35. School districts - Policy - Alternative curriculum outside the classroom -Participation - Report to legislative management](#); [ND Admin. Code 67-19-04 Educational Opportunities with Sponsoring Entities](#))

**SOURCE CITATIONS**

**Statutes**

[N.D.C.C. § 15.1-07-35. School districts - Policy - Alternative curriculum outside the classroom - Participation - Report to legislative management](#)

**Administrative Code**

[ND Admin. Code 67-19-04 Educational Opportunities with Sponsoring Entities](#)

**State Department of Education**

[ND DPI 2023-2024 Learn Everywhere Guidance](#)  
[ND DPI Credit Accrual and Recovery Guidance](#)



## Transportation in North Dakota

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p><b>LIMITED</b></p> <p>Less than equitable and/or for some students only</p>	<p>State statute establishes that “a school district of residence <b>may</b> provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation <b>may</b> be provided by the admitting district. A school district may not receive transportation aid disbursements under subdivision a of subsection 1 of section 15.1-27-26.1 or subsection 3 of section 15.1-27-26.1 for transporting students who are participating in open enrollment, or who are enrolled pursuant to a written contract entered by the sending and admitting districts which waives the charge and collection of tuition for the student.” (emphasis added)</p> <p><a href="#">(N.D.C.C. §15.1-31-05. Open enrollment - Transportation)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul> <p>State statute establishes that for a student who is transferred to another district due to the student being a victim of violence occurring within the school, the superintendent of public instruction’s declaration of the school as an unsafe school, or the superintendent of public instruction’s identification of the school as one requiring program improvement for six consecutive years, the student’s district of residence must transport the student to school in the admitting district or reimburse the admitting district for all costs incurred in transporting the student or providing for the transportation of the student to school in the admitting district.</p> <p><a href="#">(N.D.C.C. §15.1-31-08. Open enrollment - Transfer of students - Responsibility of district of residence)</a></p> <ul style="list-style-type: none"> <li>• This chapter does not authorize or require administrative rulemaking.</li> </ul>
<p>Fair Transportation Access</p>	<p><b>NO</b></p>	

<p><b>Vehicle Flexibility</b></p>	<p><b>LIMITED</b></p> <p>Only for student activities, or other restrictive conditions</p>	<p>Administrative Code establishes minimum standards for school buses, subject to specific exemptions, and establishes that a school “may use a multifunction school activity bus as defined by the national highway traffic safety administration ruling 34-03 for purposes that do not include transportation between home and school for students from kindergarten through grade twelve.”</p> <p><a href="#">(ND Admin. Code 67-12-01 Standards for Schoolbuses)</a></p> <p>Additional flexibility exists for contracted transportation which may be used for students with disabilities.</p> <p>(See <a href="#">ND DPI, Instruction Manual for Student Contracts</a>)</p> <p>Home Education requirements do not specifically address the use of vehicles and options for student transportation.</p>
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**SOURCE CITATIONS**

Statutes	Administrative Code	State Department of Education
<p><a href="#">N.D.C.C. §15.1-31-05. Open enrollment - Transportation</a></p>	<p><a href="#">ND Admin. Code 67-12-01 Standards for Schoolbuses</a></p>	<p><a href="#">ND DPI Transportation</a></p> <p><a href="#">ND DPI, Transportation for Contracts</a></p>

