

2025 Post-Legislative Policy Updates Guidance

The following is meant to provide information and brief guidance to our policy services members on several bills passed by the 69th Legislative Assembly that are particularly relevant to K-12 public education and school district operations. For more information on any of the bills covered, please feel free to contact NDSBA.

HB 1095 - Child protective services and school district child safety liaison work group, and HB 1562 – Training for mandated reporters of suspected child abuse or neglect.

HB 1095 allows school districts to designate an individual as a child protective services liaison to work with child protective services and form a child safety liaison work group. The child safety liaison work group shall focus on child safety issues. HB 1562 allows districts to provide a minimum of eight hours of professional development on child abuse, and child neglect to elementary, middle, and high school teachers and administration. Additionally, HB 1562 requires district teachers, administrators, librarians, and counselors to submit documentation to the North Dakota Education Standards and Practices Board verifying completion of a mandated reporter training program for suspected child abuse or neglect before initial licensure. NDSBA created Recommended template policy **ACG, Child Safety Liaison Work Group and Mandatory Training**, to incorporate these changes in law. The laws become effective August 1, 2025.

HB 1105 – Virtual Learning Requirements

HB 1105 amended N.D.C.C. § 15.1-07-25.4 to authorize school districts to adopt policies governing virtual instruction and outlined specific requirements and optional limitations. In response, NDSBA updated Required template policy **ABAD (Virtual School)** and significantly revised Recommended template policy **GACA (Virtual Instruction)**, formerly titled “Correspondence Courses” and formerly categorized as Member Requested. ABAD should be adopted by districts operating an approved virtual school and includes optional provisions for prerequisites and registration timelines. GACA, which applies to districts offering virtual instruction without a formal virtual school, outlines course access, prerequisites, registration procedures, and payment responsibilities. Districts should be aware that while HB 1105 requires payment for virtual courses not offered locally when necessary for on-time graduation, it does **not** eliminate the separate obligation under N.D.C.C. § 15-19-01(3) requiring districts to pay when students choose to enroll in courses through the North Dakota Center for Distance Education (NDCDE). These dual requirements remain in effect, and the misconception that HB 1105 resolved all cost-



sharing concerns may cause confusion. Districts are encouraged to update ABAD and consider adopting or revising GACA to reflect the law's requirements and available policy options. This law becomes effective August 1, 2025. *See NDSBA's specific guidance document on HB 1105 for more detailed information.*

HB 1132 – Bulk Milk Dispensers

HB 1132 allows schools to serve whole, two percent, and flavored pasteurized milk through a bulk milk dispenser. NDSBA updated its Required template policy **ABEA, Wellness Policy**, to include this allowance. This law becomes effective August 1, 2025.

HB 1160 and SB 2354 – Student Use of Technology (cell phone ban)

HB 1160 and SB 2354 require schools to adopt a policy requiring students' personal electronic communication devices be silenced or turned off, securely stowed away, and inaccessible to students during instructional time. While strict compliance is required, the policy may allow for limited exceptions to this new law. As a result, NDSBA updated its template policy **FFI, Student Use of Personal Technology**, and recategorized it from Recommended to Required. Due to the necessity to include this updated policy to student and personnel handbooks for the next school year, NDSBA emailed this update to all Policy Services members on June 11, 2025. This law becomes effective August 1, 2025.

HB 1165 – Election Information, HB 1469 – Annual Statement of Interest, and SB 2269 – Recall Election

HB 1165 amends election practices and administration. It also prohibits school districts from using a private entity to operate or administer an election. HB 1469 requires individuals holding elective office to submit an annual statement of interest to the appropriate filing officer (i.e., the school business manager). It also adds to the requirements of the contents of a candidate's statement of interest. SB 2269 amends the criteria and procedures for initiating recall petitions for school board members. Notably, school boards do not have to hold a recall election if candidate filings are not received by the filing officer before the candidate filing deadline. It also increases the required number of signatures on recall petitions from 25% to 35% of the voters who participated in the last election on which the individual sought to be recalled was elected and allows for recall elections to be cancelled if no challengers file to run against the incumbent member, thereby permitting the member to remain in office. As a result of these new laws, NDSBA updated its Recommended template policy **BBA, School Board Elections and Terms of**



Office, and template Exhibit **BBA-E1, Election Letter Notice**. These laws become effective August 1, 2025.

HB 1178 – Students Allowed to Leave Campus to Vote and HB 1222 – Pledge of Allegiance

HB 1178 requires school districts to adopt a policy allowing students who are qualified electors to leave campus to vote in a general, special, or primary election. HB 1222 requires schools to give students the opportunity to recite the pledge of allegiance each morning. NDSBA updated its template policy **GACB, Patriotic Exercises**, to include these requirements, and recategorized it from Recommended to Required. NDSBA included this policy update in its *NDSBA Policy Update 2025 Q1* edition, which was emailed to Policy Services members on April 28, 2025. These laws become effective August 1, 2025.

HB 1200 – Waiver and Substitution for Graduation Requirement Under Emergent Circumstances

HB 1200 allows school districts to permit students to receive credit for completing an alternative course, including an elective course or dual-credit course, if the student demonstrates an emergent circumstance. As a result, NDSBA updated its template policy **GACE, Alternative Methods of Credit for High School Graduation and Curriculum Requirements** (previously titled “GED Credit for High School Graduation and Curriculum Requirements”), and recategorized it from Member Requested to Recommended. This law becomes effective August 1, 2025.

HB 1223 – Suspension and Expulsion

HB 1223 allows school districts to expel a student for up to twelve months for insubordination, habitual indolence, or disorderly conduct. It also gives school districts guidance as to what can be considered to determine the duration of an expulsion. Additionally, it allows school districts to create conditions for reinstatement for expelled students. NDSBA updated its Required template policy **FFK, Suspension and Expulsion**, and template Board Regulation **FFK-BR, Suspension and Expulsion Regulation** to include these allowances. This law becomes effective August 1, 2025.

HB 1247 - Protection of Student Victims of Sexual Offenses

HB 1247 requires school districts to implement a policy establishing guidelines for creating individual safety plans for students who have been victims of sexual offenses committed by their peers. The individual safety plans must be aimed at eliminating direct or indirect



contact between the victim and responsible student. As a result of the passage of HB 1247, NDSBA created Required template policy **ACCB, Protection for Student Victims of Sexual Offenses**. This law becomes effective August 1, 2025.

HB 1328 – Delinquency Referrals to Juvenile Court

HB 1328 allows districts to refer students to juvenile court once the district has exhausted all school discipline policies when a student has committed an infraction or misdemeanor on school property. As a result, NDSBA updated its Required template policy **FF, Student Conduct and Discipline**. *It should be noted this law may need to be revisited next session to take out the allowance for school employees to refer a student to juvenile court, as the juvenile court will not accept direct referrals from school employees.* This law becomes effective August 1, 2025.

HB 1357 - Data Sharing Agreements – Student Data

HB 1357 requires districts to adopt a policy that permits the district to share student data with the state entity managing a student information system *if* the school district and the state entity have entered into a data sharing agreement. The data sharing agreement must include a clause that designates the department as an authorized representative of the school district under FERPA. As a result, NDSBA updated its Required template policy **FGA, Student Education Records and Privacy**, and template exhibit **FGA-E8, Parties Approved to Receive Student Data**. This law becomes effective August 1, 2025.

HB 1363 - Cardiac Emergency Response Plans

HB 1363 requires districts to develop a cardiac emergency response plan for inclusion in the school district crisis management plan for use by school personnel in the event an individual experiencing sudden cardiac arrest or similar life-threatening emergency on school grounds. Districts will develop this plan using a template provided by the ND Department of Health and Human Services. Districts do not need to establish their plans until the 2027-2028 school year. Once the Department of Health and Human Services has created this template, NDSBA will update its policies accordingly, so be on the lookout for further guidance.

HB 1498 - Signing Bonuses

HB 1498 clarifies school boards' authority to offer signing bonuses to qualifying individuals. As a result, NDSBA updated its template policy **DCCA, Signing Bonuses**, and

recategorized it from Member Requested to Recommended. This law is declared to be an emergency measure and therefore is already in effect.

SB 2037 - Student Misconduct – Prohibition Against Participation in Extracurricular Activities

SB 2037 allows districts to prohibit a student from participating in any extracurricular activity if an order has been issued against the student prohibiting contact with a district student or employee which is signed by a district judge or a judicial referee within a delinquency or criminal case. As a result, NDSBA updated its Required template policy **FFE, Extracurricular Participation Requirements**. This law becomes effective August 1, 2025.

SB 2196 - Self-Administration of Asthma or Anaphylaxis Medication

SB 2196 amends the definition of “emergency medication” under NDCC 15.1-19-16, Asthma – Anaphylaxis – Self-administration of Medication by Student – Liability. The definition was amended to include a new epinephrine administration device that administers epinephrine using a nasal spray. As a result, NDSBA updated its Recommended template policy **FCAA, Accommodating Students with Allergies and Special Dietary Needs**; template administrative regulation **FCAA-AR, General Guidelines for Reducing Risk of Exposure to Allergies**; and template exhibit **ACBD-E4, Emergency Medication Check-in Form**. NDSBA included FCAA and FCAA-AR (but not ACBD-E4) in its NDSBA Policy Update 2025 Q1 edition, which was emailed to Policy Services members on April 28, 2025. This law becomes effective August 1, 2025.

SB 2180 - Public Comment at Board Meetings

SB 2180 requires school boards to include an opportunity for individuals to provide public comment at every regular board meeting. It also provides guidelines for the individuals providing public comment, as well as for school districts and how they may manage public comments. Districts are required to develop a policy regarding public comment rules for regular meetings. Therefore, NDSBA updated its template policies Recommended **BCAA, Board Meeting Agenda and Pre-Meeting Preparation**, and **BCBA, Public Participation at Board Meetings**, and recategorized BCBA from Recommended to Required. This law becomes effective August 1, 2025. *See NDSBA’s specific guidance document on SB 2180 for more detailed information.*



SB 2198 - Military Leave of Absence

SB 2198 removes the requirement that employees of a political subdivision must be employed for at least 90 days immediately preceding a leave of absence for military duty to be entitled to twenty workdays each calendar year without loss of pay. As a result, NDSBA updated its Recommended template policy **DDBD, Military Leave**. This law is declared to be an emergency measure and therefore is already in effect.

SB 2330 - Human Trafficking and Exploitation Prevention and Awareness Education

SB 2330 requires schools to adopt a policy on mandatory annual human trafficking and exploitation prevention and awareness education for faculty and all students in grades six, ten, and twelve. SB 2330 also requires schools to provide parents and guardians with optional workshops and/or materials to support the education of their child on personal safety and grooming prevention. NDSBA created Required template policy **GABE, Human Trafficking and Exploitation Prevention and Awareness Education**, to fulfill this requirement. This law becomes effective August 1, 2025.