

2023 HOUSE EDUCATION

HB 1526

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1526
2/7/2023

Relating to school discrimination, parental rights and involvement in school, curbing of social emotional learning, required curriculum, and the review and recommendation of instructional materials; relating to the definition of a discriminatory practice and reproductive health education requirements; and to provide a penalty.

9:59 AM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Discussion Topics:

- Critical Race Theory- CRT
- Social and Emotional Learning- SEL
- Emotional development
- Academic development
- Character ethics
- Sunshine laws
- CRT morphed to SEL

In favor:

Rep Scott Dyk, District 23, introduced HB 1526 and proposed amendments, Testimony 19534, 19535, 19536, 19552

In Opposition:

Amy DeKok, Legal Counsel, ND School Boards Association, Testimony 19558
Dr. Aimee Copas, Executive Director, NDCEL, Testimony 19488
Nick Archuleta, President, ND United, oral testimony
Mike Heilmann, President of ND Small Schools, oral testimony
Taryn Sveet, Secondary Principal, Beach High School, Online Testimony 19437

Additional written testimony:

Bree Langemo, mother of a teen, Testimony 19342
Faye Seidler, Testimony 19478
Kimberly Hurst, parent, District 1, Testimony 19483
Kristie Miller, ND resident, Testimony 19216
Kristin Rubbelke, Advocacy Committee of the NASW-ND, Testimony 19317
Vince McAvoy, Testimony 19510
Susan Draper, parent, Williston, ND, Testimony 19512
Sharlet Mohr, Testimony 19513
Karen Krenz, Testimony 19515

10:55 AM Chairman Heinert closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

HB 1526
2/8/2023

Relating to school discrimination, parental rights and involvement in school, curbing of social emotional learning, required curriculum, and the review and recommendation of instructional materials; relating to the definition of a discriminatory practice and reproductive health education requirements; and to provide a penalty.

11:14 AM

Chairman Heinert opened the meeting. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Discussion Topics:

- Committee action

Rep Dyk, Amendment 23.1011.03001, Testimony 19552

Rep Timmons moved to adopt amendment 23.1011.03001 and further amend Section 5, starting Page 12, Line 11 to read “evaluation of instructional material, the board of the school district is responsible for the content of the instructional materials, using the classroom or otherwise made available to a student” and the rest would be stricken, seconded by Rep Dyk.

Voice vote. Motion carried.

11:21 AM meeting adjourned.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1526
2/14/2023

Relating to school discrimination, parental rights and involvement in school, curbing of social emotional learning, required curriculum, and the review and recommendation of instructional materials; relating to the definition of a discriminatory practice and reproductive health education requirements; and to provide a penalty.

11:16 AM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Discussion Topics:

- Proposed amendment 23.1011.03002
- Character education
- Institutional distrust
- SEL (Social Emotional Learning)
- Parents trust
- Committee Work

Rep Timmons moved to adopt the proposed amendment 23.1011.03002, Testimony 20665, 20817
Seconded by Rep Hauck. Voice vote. Motion carried.

Rep Timmons moved Do Pass as Amended, seconded by Rep Heilman.

Representatives	Vote
Representative Pat D. Heinert	N
Representative Cynthia Schreiber-Beck	N
Representative Liz Conmy	N
Representative Scott Dyk	Y
Representative LaurieBeth Hager	N
Representative Dori Hauck	Y
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	N
Representative Donald W. Longmuir	N
Representative Andrew Marschall	Y
Representative Eric James Murphy	N
Representative Anna S. Novak	N
Representative Kelby Timmons	Y

6-8-0 Motion failed.

Rep Schreiber Beck moved a Do Not Pass as amended.

Seconded by Rep Conmy.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	N
Representative LaurieBeth Hager	Y
Representative Dori Hauck	N
Representative Matt Heilman	N
Representative Jeff A. Hoverson	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	N
Representative Eric James Murphy	Y
Representative Anna S. Novak	Y
Representative Kelby Timmons	N

8-6-0 Motion carried. Rep Murphy is carrier.

Additional written testimony:

Rep Dyk, Testimony 20626, 20629

11:56 AM Chairman Heinert closed the hearing.

Kathleen Davis, Committee Clerk

2-14-23
24

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1526

- Page 1, line 2, replace "three" with "two"
- Page 1, line 4, remove "required curriculum,"
- Page 2, remove lines 27 through 30
- Page 3, remove line 3
- Page 3, line 4, replace "financial assistance" with "school district"
- Page 3, line 17, replace "The state education system" with "A school district"
- Page 3, line 26, replace "state education system institution" with "school district"
- Page 3, line 29, remove "The state board of higher education shall determine whether an institution it"
- Page 3, remove line 30
- Page 4, line 1, remove "b."
- Page 4, line 15, replace "c." with "b."
- Page 5, line 21, remove "and the state board of higher education"
- Page 6, remove lines 24 through 31
- Page 7, remove lines 1 through 31
- Page 8, remove lines 1 through 31
- Page 9, remove lines 1 through 30
- Page 10, remove lines 1 through 31
- Page 11, remove lines 1 through 31
- Page 12, remove lines 1 through 6
- Page 12, line 10, remove "1."
- Page 12, line 11, replace "and shall obtain parental" with an underscored period
- Page 12, remove lines 12 through 30
- Page 13, remove lines 1 through 14
- Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1526: Education Committee (Rep. Heinert, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1526 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "three" with "two"

Page 1, line 4, remove "required curriculum,"

Page 2, remove lines 27 through 30

Page 3, remove line 3

Page 3, line 4, replace "financial assistance" with "school district"

Page 3, line 17, replace "The state education system" with "A school district"

Page 3, line 26, replace "state education system institution" with "school district"

Page 3, line 29, remove "The state board of higher education shall determine whether an institution it"

Page 3, remove line 30

Page 4, line 1, remove "b."

Page 4, line 15, replace "c." with "b."

Page 5, line 21, remove "and the state board of higher education"

Page 6, remove lines 24 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 6

Page 12, line 10, remove "1."

Page 12, line 11, replace "and shall obtain parental" with an underscored period

Page 12, remove lines 12 through 30

Page 13, remove lines 1 through 14

Re-number accordingly

TESTIMONY

HB 1526

68th Legislative Assembly

House Bill #1526

Representatives: Dyk, Hoverson, Prichard, Rios, Timmons

Senator: Beard

I am here in opposition to House Bill #1526. What this bill stands for is the refusal to acknowledge the fact that our ancestors had done some very undeniable acts of hate, suppression and blatant discrimination.

School is where our kids, the future leaders and care takers, learn not only from books but also by the actions and behaviors the adults they come in contact with as well as others that shape their school environment such as the teachers, principals, superintendents, counselors and schoolboard. What kind of message do you think HB #1526 is sending our kids, the ones who will later be taking care of your towns and state?

This bill tells kids that what happened to a group of people that live in this country and more importantly, this state, didn't happen or isn't worth discussing in History or Civics class. I ask you how do you think that makes the kids who are of a different skin color than myself or you before me? Imagine how a young student feels when he or she learns that what happened to their ancestors is not important enough to learn about in school but the happenings and accomplishments of the white population in his or her nation let alone state is worth having textbooks and class curriculum dedicated to learning what good deeds the whites did way back when settling this county to the present.

History is fact and no one can erase what happened in the past. At best what we all can do as a society is learn from the past and demand that we do better. It's a fact that slavery happened, that Native Americans were killed, rounded up and moved against their will to reservations and Asians were forced to go to internment camps during World War II. It also is a fact that the later two happened here in North Dakota. That is part of North Dakota history. So tell me, why do we not teach the complete truth vs the white washed version of US and North Dakota history? The answer is simple, it's to save face of Caucasian people and a way to avoid the very uncomfortable and ugly truth that the people who settled here before us had a side of them that discounted human life because of prejudice.

This bill encourages prejudice ideas and mindset. We should know from history that hate and bigotry is society downfall. Look what the outcome for Hitler was and for those who supported and wore the white robes of the KKK. People who live in fear and bigotry want to overlook the awful actions that were done by whites.

We owe it to the students of North Dakota to educate them on ALL the historical facts and not let pride or prejudice interfere with educating our youth. North Dakota students have the right to learn about the good and bad done by this nations forefathers as well as the people who settled this state. Sugar coating history helping anyone but it does hurt people.

Why wouldn't this state want to teach our youth what wrongs were done to people and tell our kids that this isn't tolerable any more. Our schools are filled with students of all ethnics and races. Why wouldn't we teach tolerance and acceptance by talking about the atrocities done in our past? That is

the best way to teach our youth is by having them look at the peer next to them and imagine that person having been enslaved, beaten or forced to march for days to a land that was unfamiliar to them at the whim of a person such as him or herself. Isn't that how we learn humanity? To think of others and the hardships and struggles others endured? Empathy can be taught in our schools but only if we talk about the ugliness in life.

I do not see critical race theory as a threat to anyone in North Dakota or the USA. What it can do is help the progression of fear and hate. Our youth will have their eyes and hearts opened. Wouldn't you want the future leaders of North Dakota or of this state to have humanity in their hearts and the knowledge of how to act towards others who don't look like them? To understand why using certain words or phrases is painful and that stereotypes are judgmental and wrong.

I taught my kids that no one person is better than they are and vice versa. That no one religion is better than the other and to respect others even if they are different from themselves. That is what critical race theory helps to teach. That we all are humans and deserve respect and treated fairly as the others no matter the color of skin.

Mia DeAngelo said once you know better you do better. Let's teach our kids so they do better. Keeping our kids ignorant to the full truth of what happened in our country and state's history only sets up our youth to fail one another.

Let's take the first steps on creating a diverse and well-rounded youth of North Dakota. Teach our kids the complete truth of what happened to people here in North Dakota and in other states. Don't allow our kids to be educated by ostriches whose heads are buried in the sand. Just because a topic isn't discussed in school that doesn't mean it didn't happen. Teach the complete History facts in school not the half-truths.

Thank you,

Kristie Miller
Resident of North Dakota

TESTIMONY on HB 1526
from the
NATIONAL ASSOCIATION OF SOCIAL WORKERS—NORTH DAKOTA CHAPTER
to the
ND House Education Committee
February 7, 2023

Chairman Heinert and members of the House Education Committee:

The Advocacy Committee of the NASW-ND submits this testimony in opposition to House Bill 1526. We appreciate the opportunity to share our perspective.

NASW-ND urges the members of the House Education Committee to vote DO NOT PASS on HB 1526. This bill is an attempt to both modify and create state law on a variety of education issues in one large bill.

NASW-ND OPPOSES HB 1526 for the following reasons:

1. HB 1526 enables discriminatory practices against transgender students that violate both federal law under Title IX and ethical principles of the Social Work Profession.

Section 2 of HB 1526 includes language under points 1, 5, 7, and 9 which result in the erasure of transgender students' rights by allowing for the separation of students based on sex in certain educational and extracurricular situations. This would deny transgender and gender non-conforming students the ability to fully participate with their identified gender in these situations and is discriminatory. The U.S. Department of Education protects students from discrimination based on sex and gender identity under Title IX^{1,2}. Discrimination against these communities is in direct opposition to NASW Code of Ethics' principles relating to inherent worth and dignity of individuals and social justice³. Further, it is the NASW's position⁴ to oppose discrimination based on gender identity in society, including the education system.

2. HB 1526 promotes a governmental overreach in prescribing educational material by effectively banning certain content from being taught in public schools.

This bill seeks to introduce language in Section 2, points 10 and 11, that effectively prohibits students from learning about certain concepts such as privilege, oppression, and equality as related to racism, sexism, and other forms of discrimination. NASW is committed to ending all forms of societal discrimination, and this bill would prevent this effort by severely restricting North Dakota's students' learning opportunities via state law. Additionally, NASW-ND supports educational professionals' rights to use their expertise in determining the best evidence-based materials for teaching students.

3. HB 1526 will damage North Dakotan students' well-being by restricting the ability of teachers to address students' emotional needs and mental health.

Section 7 of this bill appears to ban teachers from teaching concepts related to social-emotional learning. This provision is in direct opposition to existing ND Century Code 15. 1-07-34 which requires educators to continue professional development in youth behavioral health to effectively respond to students' mental health. According to the National Alliance on Mental Illness, 1 in 6 U.S. youth experience mental health disorders and 6,000 North Dakotans between ages 12-17 have depression⁶. The current bill will negatively impact students' well-being and

safety by denying them access to teachers as a potential mental health resource. NASW supports programs that address behavioral health needs,² such as the existing Century Code cited above.

Thank you for the opportunity to share our objections to the House Education Committee. **The NASW-ND respectfully urges the House Education Committee to vote DO NOT PASS on HB 1526.**

Written by:

Hilary Hafner

Member, NASW-ND Advocacy Committee

Testimony Submitted by:

Kristin Rubbelke

Executive Director

NASW-ND

Notes

1. ACLU “Know your LGBTQ Rights” <https://www.aclu.org/know-your-rights/lgbtq-rights#are-lgbtq-students-protected-from-discrimination-in-schools>
2. U.S. Department Of Education. Title IX https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html
3. NASW Code of Ethics
4. Social Works Speaks, 12th edition
5. ND Century Code 15.1-07-34. <https://www.ndlegis.gov/cencode/t15-1c07.pdf>
6. National Alliance on Mental Illness. North Dakota Fact Sheet. <https://www.nami.org/NAMI/media/NAMI-Media/StateFactSheets/NorthDakotaStateFactSheet.pdf>

The North Dakota Chapter of the National Association of Social Workers (NASW-ND) is a membership association representing social workers in the state of North Dakota. The mission of NASW-ND is to strengthen and protect the practice of social work in North Dakota and to advance sound and equitable social policy. Our position on this bill is solidly grounded in our organization’s mission.

As a mother of a teen in the North Dakota Public School Systems, I oppose HB 1526. This bill should be reviewed very carefully by legislators to understand the full implications of its impact. It is simply too prescriptive on schools and promotes education that makes North Dakota a less inclusive state. This bill is not in the best interest of the youth of our state.

For example, this bill requires abstinence only education as the standard rather than comprehensive sexual and reproductive health information for teens. Abstinence only education has proven ineffective and harmful to young people leaving them ill-equipped to make safe sexual decisions. The majority of parents of high school students do not support abstinence only education in school. "More than 93 percent of parents place high importance on sex education in both middle and high school. Sex education in middle and high school is widely supported by parents regardless of their political affiliation."

This is just one example, amongst many, of how this bill is not in the best interests of our youth or schools. Please do not support HB 1526 with a Do Not Pass vote.

Source: <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0180250>

HB 1526

Taryn Sweet

Testimony in Opposition

Good morning, Chairman Representative Heinert, members of the Education Committee, for the record, my name is Taryn Sweet and I am here today in my role as Secondary Principal for Beach High School to explain why I would appreciate a do not pass on HB 1526.

There is a process in place for establishing curriculum standards. Administrators and Educators work hard to make sure that the standards established by DPI are taught. These standards were determined by a team of administrators and teachers, rigorously researched, and discussed and it has a chance for public comment before it is implemented. We already have a process in place to establish standards. We already have legislation passed last session that says we cannot teach CRT. It also takes away the vital component of Native American history that was just passed last session. The subjective nature of a lot of these dictates would be extremely difficult to oversee, articulate and determine.

I attended a great deal of school, spent a great deal of time expanding my knowledge and education about the topic of social studies and education. Why am I and my teachers who have gone to school for this not acknowledged as professionals and subject experts who know how to do their jobs? In all my management and educational leadership training they tell us that micromanagement is not an effective way to manage any profession.

The bill states that a teacher shall not address the social emotional needs of students. First, in my building we talked about the importance of relationships in teaching and learning. We work

on creating relationships with students, it helps a child learn. Part of that is asking them if they are okay, showing them, we care. The reality of my day is that I spend time with the kids showing them I care. My staff talks with kids about everything from what new show they are watching to how their dog died, and they are sad. What do you consider addressing the needs?

I have students who need love and acceptance. I cannot provide that? Who is an appropriate individual? I spend a great deal of my time helping students with social emotional needs.

Sometimes they are dysregulated and cause problems in class, I help them calm down and return to class. Should I have not be helping a student who is in crisis? We do not try to solve the problems of the students. We communicate with parents, or mental health professionals.

We do not solve the problems because quite frankly, the family and the therapists simply help a student solve the problems themselves and give them tools to help deal with issues.

Sometimes, we give students tools like growth mindset or establishing SMART goals to achieve success. What are you saying the teachers and I CAN'T do? Does letting a kid know we care about them considered addressing social emotional needs?

The bill states that we must post all instructional material. No one is hiding what we do but are you aware of the amount of time it would take to post everything we use in a classroom? If parents want to know all this and want a say in their students' education, we already have policies in place for parents to request to view curriculum. Come in and talk to the teacher, we do not deny parents who want to come in and discuss curriculum with teachers. Parents have the choice to read the English book with your student. Parents can find information by talking to their kids, working with their kids on homework or talking to the teachers. Parents already have these abilities and rights.

How does this affect those of us who are different? How much do a parent's rights overcome a student's? I have Home on the Range students. Some of them have been removed from the home or are placed by DJS. How does that play out? We work with multiple team members to help the students. Sometimes we literally cannot communicate with their parents. In some instances of this bill, you have us take over discussions that parents should be having with their students but then in the same breath say we need to leave this to the parents. Transcendent Truth is what churches and parents should teach. We can instruct students about other cultures and ours to inform not indoctrinate or push a single truth except perhaps the golden rule.

Again, please let the systems in place determine curriculum and let my staff do what they are best at, which is educating the students. We got into education because we love our students and believe in preparing them for the future. I urge you to vote to not pass house bill 1256. I will stand for questions.

Dear Chair Heinert and members of the House Education Committee,

My testimony is in opposition to House Bill 1526. I ask that you give this bill a Do Not Pass.

Concerning HB1526 Sections Impacting Chapter 14 of the Century Code

In Page 2, Line 23, the bill attempts to define Sex within Chapter 14-02.4 of the North Dakota Century Code as:

“This bill attempts to define sex as "Sex" means the biological state of being female or male, based on the individual's non ambiguous sex organs, chromosomes, and endogenous hormone profiles at birth and acknowledged accordingly on the individual's original birth certificate.”

As this relates to Human Rights and the operation of the North Dakota Department of Labor and Human Rights (NDDOLHR) specifically, the definition of sex is governed to my understanding by the ruling of the United States Supreme Court within the case of Bostock V. Clayton County, Georgia. To quote language on the NDDOLHR website specifically

“The Court recognized the term “sex” has traditionally referred to the biological distinctions between males and females. The Court, through the Bostock Opinion, has now confirmed, the basis of sex also provides protections for homosexual and transgender employees. The Court stated, in part: “An employer who fires an individual for being homosexual or transgender fires that person for traits or acquisitions it would not have questioned in members of a different sex. Sex plays a necessary and undisguisable role in the decision, exactly what Title VII forbids.” ”

This effectively means from a discrimination and human rights standpoint, we cannot define sex in a way that is strictly cisgender or would serve to deny or change the meaning of sex to be inconsistent with sexual orientation or gender identity, as they are protected categories as determined by the Supreme Court. This would be the same as changing the definition of age or race.

All sections related to 14-02.4 should be strictly removed from this bill.

Concerning HB1526 Sections Impacting Chapter 15 of the Century Code

I recommend changing the entirety of the sections in HB1526 relating to Chapter 15 be solely reduced to one section dedicated to Page 9, Line 9.

Aside from that, I would invite the committee to briefly review [Chapter 15.1-21 of our Century Code](#), where most of the proposed changes would be inserted. There is a stark difference between the language, intention, and goals that see between the current administrative rules governing our education in Chapter 15 and the dreams proposed by HB 1526.

While there are many tenets to HB 1526 I would certainly agree with, such as Page 9, Line 9, there are many bizarre choices sprinkled throughout these 14 pages. Section 7, on Page 13, for example, seeks to prohibit Social Emotional Learning. This concept is very well researched and supported and I had to google, “Social Emotional Learning Woke” to even learn why I’m seeing this purpose in legislation.

Regardless of SEL as a concept or something understood to be ideological in some capacity, the actual language this bill includes to prohibit it is non-compatible with being a teacher. I do not expect teachers to

solve clinical depression or anxiety, but the language of this section prohibits being human in any capacity.

I am also confused that Section Five of this bill has included so much information on the necessary inclusion of Black History, Slavery, World War II, and the Holocaust as a means to teach empathy and the dangers of oppression, but includes no mention or language about Native American History, especially given North Dakota's many Tribes. I do not understand why our Native American History and people are not included in this section. If we are to give such explicit language to practically everything you could possibly imagine, where are our indigenous communities?

As a final thought, there is also a brief line (Page 9, Line 29) around abstinence only education as the expected standard. The research is clear on that being ineffective. That it increases teen pregnancy and by extension abortions for individuals who can leave the state. According to the [ND YRBS](#), only 49.9% of highschool students are using condoms and 36.6% have had sexual intercourse. Since 2015, we see less students having sexual intercourse, but even less using protection. Outside of pregnancy the threat of spreading Sexually Transmitted Infections (STI) is also very real. According to a seminar I attended, hosted by the ND Department of Health and Human Services (ND HSS), young gay men are the largest demographic of new emerging HIV cases. Competent sexual education is the best health response both for unwanted pregnancy and prevention of STIs.

I bring this up as Section 4 and Section 6 have a lot of language around HIV, STI, and Reproduction that seem to go against compelling state interest in public health. At least according to the goals of our ND HHS.

However, if we can go back to Section 6, specifically Page 12, Line 1, we see all instructional material must be approved by a parent? Every single parent?

I am by no means an expert on high level administrative policy for school. I imagine those who are would be very kind and polite to the sponsors of this bill on why it is certainly a good first try. I read this bill because I'm a suicide prevention advocate and I work closely with our ND HSS STI division for STI prevention. I originally was going to submit a neutral testimony, but the more time I spent with this legislation, the more it completely fell apart to scrutiny. For the myriad of problems I've described, please Do NOT Pass this Bill.

Thank you for your time, consideration, and service to our state,

Best regards,
Faye Seidler

My name is Kimberly Hurst and I reside in District 1. I am asking that you please render a do pass on House Bill 1526. As a parent of four students in the public school system of North Dakota I have discovered that Social Emotional Learning creates trauma where there is none so that schools can justify more SEL; thereby creating more trauma to treat. "SEL advances educational equity", yet 'Equity' implies that an individual may need to experience or receive something different (not equal) in order to maintain fairness and access. SEL is based on the belief that invisible systems of power and privilege hold some people back in often invisible ways because of their race, gender, sexuality, or other marginalized identity factors. Therefore, "equity" requires giving some identity groups privileges in order to redress (redistribute resources) the perceived systemic imbalance. Meaning, SEL's foundation is psychology, in which my question remains, "when did we license our teachers within the public school districts to treat students without a license with this kind of *psychological therapy*?" The last I checked, a teacher doesn't have to obtain a psychology degree, but they are allowed and encouraged to treat children with Social Emotional therapy? I would expect North Dakota to do better.

In North Dakota, SEL is an optional instruction. To exercise my parental rights I *can* opt my children out of this instruction. However, in WBSD7, I cannot opt my 8th grader out of SEL instruction because it is integrated directly into the curriculum itself with 'Units' titled verbatim, "Social Emotional Health", which is a complete violation of my parental rights.

SEL is literally a trojan horse for Critical Race Theory and CRT is prohibited in North Dakota. ND Century Code 15.1-21-05.1; *Curriculum - Critical race theory - Prohibited. Each school district and public school shall ensure instruction of its curriculum is factual, objective, and aligned to the kindergarten through grade twelve state content standards. A school district or public school may not include instruction relating to critical race theory in any portion of the district's required curriculum under sections 15.1-21-01 or 15.1-21-02, or any other curriculum offered by the district or school. For purposes of this section, "critical race theory" means the theory that racism is not merely the product of learned individual bias or prejudice, but that racism is systemically embedded in American society and the American legal system to facilitate racial inequality. The superintendent of public instruction may adopt rules to govern this section.*

Interestingly enough even as Century Code is written, WBSD7 has 'Habitudes' as an approved resource with the "Golden Buddha"; "*that teaches us the value of knowing and leveraging on our strengths and gifts.*" Conditioning children to conform to a one size fits all mental health box that is the very definition of CRT and *Social-ism*.

Along with violation of parental rights, the illegal surveying of our children about mental health, is a federal offense under the Pupil of Protection Rights Amendment; PPRA safeguards parental rights with data mining children in regards to:

- political affiliations or beliefs of the student or the student's parent;
- mental or psychological problems of the student or the student's family;
- sex behavior or attitudes;

- illegal, anti-social, self-incriminating, or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- religious practices, affiliations, or beliefs of the student or student's parent; or
- income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

WBSD7 has violated PPRA on more than one occasion. The reality is, I have had to educate my public school district about the federal law, century code and basic parental rights this past year in regards to SEL and CRT. This underscores that our North Dakota Century Code is lacking the very definitions of what is actually prohibited, so I urge you to support the passing of House Bill 1526 to safeguard parental rights and protect our children in the state of North Dakota.

Thank you for your consideration of this important matter and for your service to the state of North Dakota.

Kimberly Hurst



1 HB 1526 – Changing EVERYTHING about how North Dakota Schools work.

2 Chairman Heinert and members of the House Education Committee, I come to you today
 3 in to express our rather intense concern with this bill. I have been spending time in
 4 research, reflection, and consideration since I saw this bill was filed. I considered
 5 standing before you and saying with all due respect to the sponsors just one word. “NO”.
 6 But I do think that members of this committee should hear from educators.

- 7 • Section 14 of century code is now going to include language about school related
 8 items? Sports? Classes? Furthermore, you are asking or charging the state
 9 superintendent must audit an extracurricular activity to ensure that everything is
 10 in line according to a standard all the way down to locker rooms and dining
 11 facilities???
- 12 • Then we have another attempt to copy a bill from another state to define CRT?
 13 I’d like to remind this group that in the short session this past November already
 14 passed a law to do this and made it illegal. In fact, the ND law has been
 15 highlighted in several conservative publications as being one of the best worded
 16 laws passed. Why would we change this?
- 17 • Then we move to 15.1. Here we find unfunded mandates, an attempt to legislate
 18 morality, and universal truths. We see detail on standards that are to be taught
 19 (which do not belong in law – that is a school board power), as well as
 20 requirements to have open meetings about everything being taught and posting
 21 of all materials and plans prior to instructing them and then providing parents an
 22 opt out with each situation. How is this even a distant possibility? Our teachers
 23 would need to work 365 days per year and get paid for each one to even have a



1 chance of pulling this off. And then – what and how are we managing the opt
2 outs of curriculum Each. And. Every. Day?

- 3 • Public education is being charged in this bill with doing what by-in-large should
4 be handled at home in many instances in this bill. I am a former history minor –
5 I love history – I love to research much about the founding of our nation. It is
6 important to remember that the Constitution and Bill of Rights, our Founding
7 Fathers declared that even a majority within society cannot impose its moral
8 values on others, thereby harming the individual rights of others. In other words,
9 majority rule is tempered by minority rights.
- 10 • The Constitution gives the government the right to legislate for the “general
11 welfare” under its police power, but the exercise of that power requires restraint.
12 When laws attempt to compel or prevent some action that is not a matter of
13 general belief, the law is attempting to force upon the public values that belong
14 to select individuals or groups of individuals. The danger of this kind of legislation
15 to individual liberty and freedom is tremendous.
- 16 • Although the Bill of Rights protects individual speech, assembly, and religious
17 freedoms, it does not allow the government or others to dictate morality or ethics.
18 Legislation cannot tell someone how to live their life if they’re not harming
19 anyone else. Today, many individuals and groups are attempting to use legislation
20 and the courts to shape purely moral or ethical beliefs of often dubious religious
21 origin. Who’s universal truth? Who’s morality? Who’s religious beliefs?
22 Christianity? Hinduism? Buddhism? If we are talking about the basic universal
23 truths...the problem with that is that it conflicts with this bill: In fact, within
24 lines of each other teachers are told they are not to impress upon students’



1 religious beliefs and lines following indicate that teachers may teach universal
2 truths.

3 This session we've seen many bills with varying opinions and that is a fantastic
4 right we have in the United States – to debate opposing views. However, in this
5 instance I need to also remind legislators that ... especially now with term limits
6 it is critical that we protect our century code and ensure we haven't forgotten that
7 a part of this process is to kill bills that are simply not workable. This is,
8 unfortunately one of those bills that we firmly believe is unworkable. We ask for
9 no amendments, no attempts to make this bill better. Simply a no vote – do not
10 pass on HB 1526.

Dear Honorable Representatives & Senator,

I wish to testify in favor of HB1526.

This is a timely and needed bill to detail North Dakotan values and establish lines in the sand as a counter to unreasonable, untruthful and unsustainable practices festered in the DMV (D.C./Maryland/Virginia) zone.

COUNTERING MISINFORMATION

In America, in North Dakota, a war is being waged. As always, it is a war for all that is at stake ...a war for the minds of our children. The tools at use are media networks, social media platforms, and even the various federal agencies charged with preserving the Constitution, our borders and our way of life. The combined pervasiveness has not battled with the minds of country so widely and so invasively since World War 2, when Axis powers occupying 7/8ths of the globe set themselves at war with America. Such mobilization, synergy and focus seemed well-warranted, given America's precarious position as part of the Allied forces holding ground on but 1/8th of the globe's surface. Eighty (four score) years later, the relentless propaganda of a combined consortium of media networks, social media platforms, and even most of the various federal agencies have abused the trust - such trust being intrinsic to their very existence and lofty positions - of the Americans that these institutions serve.

UNNATURAL, ASTROTURFED (MAL)CULTURE

In recent testimony in North Dakota (and elsewhere) you are seeing about 50 witnesses (most of whom are not from North Dakota) opposing bills involving "gender". This astroturfed activism is a very good reason for this bill, HB1526. I will send the sponsors and other interested lawmakers the details of how we know these are people not truly indicative of North Dakotan values.

Imagine having to re-establish who can use a sidewalk because the word "sidewalk" had been "appropriated" by a contingent who aimed to redefine the objective nature of what a sidewalk is and who could use it. That ridiculous hypothetical mirrors some of the incoherent testimony you are receiving from those opposing bills involving biological facts (versus gender theory tantrums). The approach of HB1526 is defining, authoritative and balanced. This is effective in expressing the letter of the law as well as the legislative intent. I see HB1526 as needed countervailing assertiveness to the continual din of misguided gender and racial theorists, deviants. HB1526 is an assertion that longstanding American values - true, balanced, just and reasonable for state government - are timeless and immovable. It is an indictment of our times that the word Father is in need of defining due to the din of these theorists. These theorists and gender activists have done to themselves and advocate for children such actions and mutilations which are nothing that any child would do themselves spontaneously. If the media and activists had not normalized self-mutilation and propagandized established institutions - these cultural aberrations would not be infecting North Dakota, nor Florida, nor Maryland. These bizarre, harmful practices are being drilled into children through Planned Parenthood, corrupt hospitals, and activists wrongfully allowed near children; the people at the top of these organizations are getting rich off of the harm of American children.

FRIENDLY AMENDMENTS

And so I encourage passage of HB1526 into law. I commend the lawmakers for their courage and diligence in addressing numerous, disparate entities.

Again, I am grateful for the ability and kindness to allow my testimony and hope it serves the state and people of North Dakota.

humbly

~vince

I do, humbly, offer these modest Amendments, if they serve passage of the bill and the tenor of North Dakotans::

Regarding Flag care.

Carroll County, Maryland had issue in Maryland regarding "flags" last summer

<https://www.cbsnews.com/baltimore/news/carroll-county-school-board-bans-pride-flags-on-school-property/>

It would be best to specify the American flag, the State flag, and perhaps a school or district flag

Regarding Holocaust lessons.

Given varied reports of the actual casualties due to WW2 and Kristallnacht

<https://www.timesofisrael.com/ny-rabbi-not-even-1-million-jews-killed-in-holocaust/>

I would caution employing certain grifters aiming to propagandize this historical piece of WW2.

I know such a grifter in Maryland

Regarding Religious tolerance

Certain sects, religious factions and extremists advocate harm of infidels and

harm toward Christian religious. The wording regarding such sects calling for harm should be excluded from said tolerance.

Regarding black contributions.

I found no such detail when speaking of other groups and this (BLM) issue particularly in my area has been weaponized toward destruction, violence and reparations. Given that no other group is so highlighted not Hispanic contributions to the United States" nor women nor "White" nor "European American" contributions this should be pared down.

68th Legislative Assembly

Testimony on HB 1526

Representatives: Dyk, Hoverson, Prichard, Rios, Timmons

Senator: Beard

I am here in support of House Bill #1526 for the following reasons:

1. HB1526 supports the protection of ALL kids in North Dakota but ensuring that transgender students will not be able to participate in sports except their Biological sex when born.
2. HB 1526 promotes banning SEL which is just another word for CRT in our ND Schools, we need to make sure that we are teaching math, science, history and English. Our student doesn't need political agendas pushed on them in schools by teachers and administrators.
3. HB1526 by putting BOUNDARIES on teachers' ability to address the emotional needs of students, this forces involvement of the parents when the teacher feels like there is a problem. Teachers are not counselors or social workers. I have had teachers indicate that I kid had ADHD, when taking my child to a MEDICAL DOCTOR, THE PROFESSIONAL said he was fine and JUST DIDN'T enjoy school. Who is the professional and has the training.

Thank you for the opportunity to share my support on this bill HB1526

Testimony Submitted by

Susan Draper

Parent in Williston School District 7

I write in Support of this Bill 1526

I believe children should learn Social Emotional Learning in the home. I love our teachers and they play a vital role in our children's lives. The role of teaching them how to read, learn about their history, and teach them the tools they will need to be a functional individual in society.

Social Emotional Learning, is something they should be taught at home. Teachers have enough to worry about and accomplish in a day. They don't need this added to their duties.

Maybe remove some of their Policies and Procedures placed on them by their local school boards, so they can get back to teaching curriculum. They are over worked and under paid and in most cases don't even realize that SEL is within their curriculum. This is obvious when a parent opts them out of SEL and the teachers are still giving them surveys unknowingly.

It's a beautiful design of deceit, which leaves the blame once again on the teachers that are just trying to do their jobs.

I would be happy to speak with you on this matter.

Please call me with any questions.

Thank you for your time,

Sharlet Mohr

Members of the Education Committee, please render a due pass on HB 1526.

1) HB 1526 Our kids need protection in private areas in school. Kids privacy rights should always be protected.

2) HB 1526 Promoting transparency so parents can have a say in what their students are being taught is very important. Parents have the right to their kid's education and input in what they are learning. For many years, the education system has been able to decide what is best for our kids without parent input or keeping in mind family values and morals.

3) HB 1526 Students' mental health is the responsibility of the parent not the school.

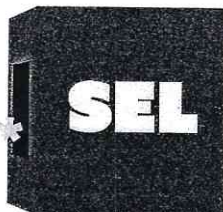
Thank you for your time and your service to North Dakota.

Karen Krenz

DECODING

THE LANGUAGE GAME
of Social Emotional Learning

WHAT THEY SAY



WHAT THEY MEAN

HOW SEL FOOLS PARENTS INTO COMPLIANCE



COURAGEISAHABIT.ORG

DECODING

THE LANGUAGE GAME

of Social Emotional Learning

SEL

As defined by the radical organization CASEL

We define social and emotional learning (SEL) as an integral part of education and human development. SEL is the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions.

SEL advances educational equity and excellence through authentic school-family-community partnerships to establish learning environments and experiences that feature trusting and collaborative relationships, rigorous and meaningful curriculum and instruction, and ongoing evaluation. SEL can help address various forms of inequity and empower young people and adults to co-create thriving schools and contribute to safe, healthy, and just communities.

WHAT THEY SAY IS NOT WHAT THEY MEAN

DECODING

THE LANGUAGE GAME

of Social Emotional Learning

WHAT THEY SAY

SEL

WHAT THEY MEAN

"Social and Emotional Learning (SEL) is an integral part of education and human development. SEL is the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions."

SEL is designed to educate the "whole child" which means academic, cognitive, ethical, physical, psychological, social and emotional development. The creators of SEL argue that schools are the BEST place where it is possible to surround children with meaningful adults and behavioral standards.

"SEL advances educational equity"

Equity implies that an individual may need to experience or receive something different (not equal) in order to maintain fairness and access. SEL is based on the belief that invisible systems of power and privilege hold some people back in often invisible ways because of their race, gender, sexuality, or other marginalized identity factors. Therefore, "equity" requires giving some identity groups privileges in order to redress (redistribute resources) the perceived systemic imbalance.

"and excellence through authentic school-family-community partnerships to establish learning environments and experiences"

SEL requires a culture shift which places emphasis on emotions, identity, and power which conditions children to view the world the same way.

"that feature trusting and collaborative relationships,"

SEL advocates for collectivism where the individual is seen as being subordinate to a social collectivity such as a state, a nation, a race, or a social class. Collectivism emphasizes relationships, interdependence within a community, collaboration, and cooperative learning.

WHAT THEY SAY

SEL

WHAT THEY MEAN

"rigorous and meaningful curriculum and instruction,"

The word rigorous is in reference to the term "rigorous education" or "academic rigor" which is a method of learning that places emphasis on culture and experience to challenge or validate a students understanding of an issue or topic. Academic rigor is a process that combines neuroscience and culture to foster a critical consciousness. The goal is to create an understanding that we live in a systemically oppressive country dominated by white supremacy.

"and ongoing evaluation."

The evaluation process is a continuous cycle of collecting mental health data from the students to evaluate how the thought reform process is going and make data-informed decisions on what changes need to be made to reach their goal.

"SEL can help address various forms of inequity and empower young people and adults"

SEL will teach everyone America is systemically racist/oppressive and train them to be social justice activists.

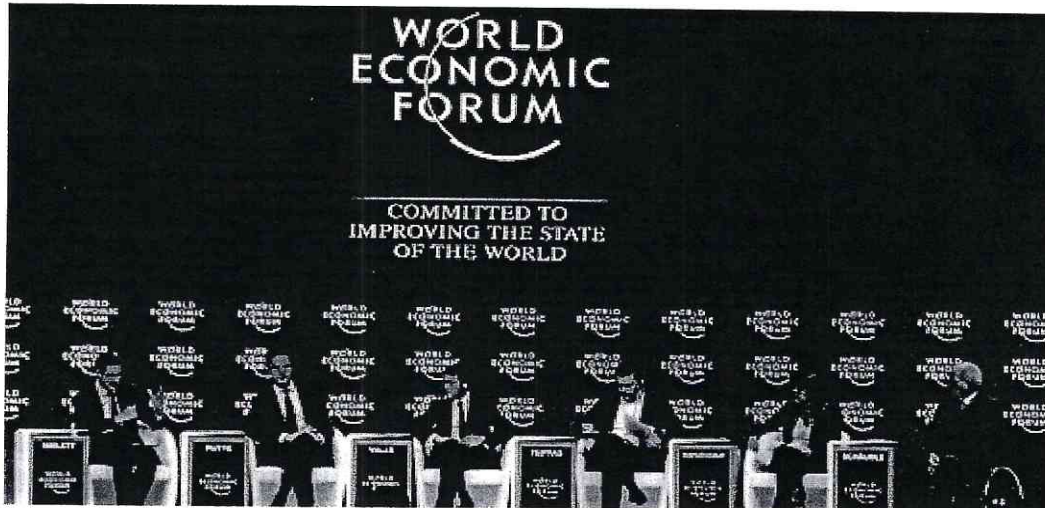
"to co-create thriving schools and contribute to safe, healthy, and just communities."

SEL success means a world that abides by the rules of political correctness and social justice. A just community is one that uses wealth distribution to make everyone the same.

CALL TO ACTION

Inform 3 parents in your circle that are still under the impression that SEL is "just about teaching kindness and managing emotions" and use this guide as a basis for your conversation.





The Connections Between the Global Elites, the World Economic Forum, and the Social-Emotional Learning Movement

04.23.22



Written by Sarah Winters

Is social-emotional learning (SEL) being deliberately used in our public schools to promote the World Economic Forum (WEF) agenda? The Collaborative for Academic, Social, and Emotional Learning (CASEL) was instrumental in initiating the SEL movement that has quickly spread across the globe. The connections of CASEL’s founders and those associated with the WEF are astounding. Some of CASEL’s creators, founding organizations, and board members are connected to the Rockefellers, the Klaus Schwab Family, and the Club of Rome/WEF.

The transition to SEL places more of an emphasis on emotional rather than academic development. This new style of education is heavily entrenched in the public schools and is the main method of promoting equity-based education. As with many of the policies affecting this generation of children, CASEL embraces activism on their website by “promoting justice-oriented school and civic engagement.” The SEL movement also acquaints children with the idea that collective rights usurp their individual rights. CASEL says little about helping an individual child reach their individual potential. The framework of self-management, responsible decision making, relationship skills, social awareness, and self-awareness creates a particular political mold and lens through which children are taught to view the world. Individual creative/out-of-box thinking has been integral to the success of the United States. What effect the SEL movement will have on this type of innovative thinking and how it will hamper the ability of children to grow and develop their individual strengths remains to be seen.

CASEL partners with many global elites including The Bill and Melinda Gates Foundation, the Chan Zuckerberg Initiative, the Fetzer Institute, the NoVo Foundation, and the Patrick McGovern Foundation as well as others. Both the Bill and Melinda Gates Foundation and the Patrick McGovern Foundation have financially supported the WEF.

The WEF was established in 1971 by **Klaus Schwab**. It is notorious for its yearly meeting in Davos, Switzerland. Speaking in [the 50th Anniversary video](#) of the Club of Rome, Gunter Pauli states, “the first meeting of the World Economic Forum, the European Forum, was the Club of Rome.” In the same video, the statement is made that Klaus Schwab is a member of the Club of Rome. Aurelio Peccei’s, “Phd was about the first five-year plan of Lenin,” Gunter Pauli informs earlier in the video. Peccei was one of the creators of the Club of Rome.

The Club of Rome’s *The First Global Revolution*, published in 1991, makes a similar statement to CASEL’s mission (Alexander King, Bertrand Schneider, 1991):

“Educators of today and tomorrow will be in a better position to discover the immensity and the nobility of their task: to lead the way to an evolution of the mind and behavior and thus to give birth to the new—one and manifold—civilization.”

“But that which is cerebral and intellectual in him cannot approach so mysterious a truth as reality unless it equally resorts to the apparently irrational, the intuitive and the emotional, which are, to a great extent, the foundation of human relationships.”

On their website, the Club of Rome claims their “goal is to actively advocate for paradigm and systems shifts which will enable society to emerge from our current crises, by promoting a new way of being human, within a more resilient biosphere.”

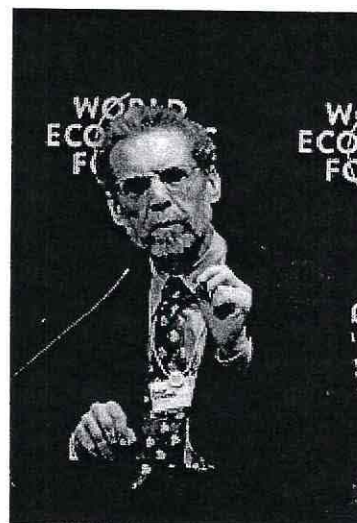
The Rockefeller Foundation was involved at the start of the Club of Rome. “Only half a year after the founding meeting of the Club of Rome, the OECD in collaboration with the Rockefeller Foundation, held a ‘Working Symposium on Long-Range Forecasting and Planning’ in Bellagio, Italy.” (Schmelzer, 2017)

The Club of Rome has interest in youth programs which seek to transform children. **Michael Dorsey**, member of the Club of Rome, is a founder of the Sunrise Movement, a program that creates radical child activists who proclaim on their website that they, “are the climate revolution.” Similarly, on their website, the Club of Rome discusses a youth “Psychological Mastery Training Program” in order to “build emotional self-awareness” in future “community leaders” so that they will be able to deal with “the distress of climate trauma and vicarious trauma exposure.”

Likewise, CASEL engages in initiatives that seek to transform, categorizing these initiatives on their website as Transformative SEL. They state that this type of SEL helps students “critically examine root causes of inequity,” “[redistribute] power,” and “emphasizes development of identity...within the CASEL framework.”

According to Edutopia.org, *Social and Emotional Learning: A Short History*, CASEL originated at a meeting at the Fetzer Institute in 1994. It was created as a result of the Comer Project, which, according to Encyclopedia.com, began in 1968 in the New Haven, CT schools. The Comer Project achieved success by focusing on student’s “social skills and self-esteem.” In 1990, the project

received \$15 million from the Rockefeller Foundation “to [introduce] the program in schools throughout the United States.” David Rockefeller’s daughter, **Eileen Rockefeller Growald**, *NY Times* author and Fetzer Institute fellow, **Daniel Goleman**, and the son of **Sargent Shriver** and **Eunice Kennedy Shriver**, Tim Shriver, were among some of the original creators.



In 1995, Goleman, published the best-selling book *Emotional Intelligence*. It proposed that emotional skills should be incorporated into school curriculum based on the premise that emotional skills are as important as IQ for success. Techniques such as mindfulness were integrated into the public schools. This led to a shift in education, converting it to a holistic or “whole child” style of education. Through these programs, teachers transitioned from educators into child developers. Developmental psychology began to be used throughout the school day often without the parent’s awareness or inclusion. Goleman has links to the World Economic Forum. He spoke at the WEF Annual Meeting in 2011, and he is [listed](#) on the WEF agenda webpage.

Current Board Chair, **Tim Shriver**, was a founder of CASEL. He is a member of the **David Rockefeller** connected Council on Foreign Relations. He is also “a regular participant in the World Economic Forum,” stated in the WPP.com article, titled *WPP Appoints Timothy Shriver, Chairman of Special Olympics, as non-exec director*. According to their 2019 tax filings, Shriver received \$400,671 from Rockefeller Philanthropy Advisors. In 2012, he wrote an article for the HuffPost titled, *Reflections from Davos*. He wrote another article for the HuffPost in 2017 titled, *What Davos Taught Us: Moving from Information to Inspiration*. In the article, he declares,

“we will be on our way to that ‘new collective and moral consciousness’ the world so desperately needs and which so many of us want to choose.” In 2018, he was the Association for Supervision and Curriculum Development (ASCD) Leadership Institute for Legislative Advocacy (LILA) Keynote Speaker. Although context was not given for his presentation, the bottom of one slide in his [presentation](#) says to educators “you are trying to lead a cultural revolution.”

Another slide in the presentation lists the WEF skills that “involve social and emotional intelligence,” which include people management, judgement and decision making, and negotiation.

The 2022 [Wisdom 2.0](#) Conference is a global mindfulness summit sponsored in part by a CASEL founding organization and supporter, the Fetzer Institute. Another board member of CASEL, **Marc**

Brackett, lists [Wisdom 2.0](#) as one of his consultation projects on his website. Furthermore, Brackett has a company, Oji Life Lab to help improve emotional intelligence and decision skills. A top investor in his company was **Bo Shao** of Matrix Partner China. [Shao](#) is a WEF Young Global Leader and founder of Evolve Ventures. He will be a speaker at the 2022 [Wisdom 2.0](#) Conference. **Dr. Richard Davidson**, founder of the Center for Healthy Minds, was a past speaker at the [Wisdom 2.0](#) Conference. The Wisdom Leadership 2.0 webpage says that he has “[led] conversations on well-being on international stages such as the World Economic Forum.” Davidson has a [WEF page](#) and is a [member](#) of the World Economic Forum’s Global Agenda Council on Mental Health. He also co-authored a book with CASEL co-founder Daniel Goleman titled *Altered Traits: Science Reveals How Meditation Changes Your Mind, Brain, and Body*.

An Esalen.org article titled *Wellbeing Project Reveals Changemakers’ Need for Personal Support* informs that the Fetzer Institute is in a joint project along with the Esalen Institute called the Wellbeing Project. As indicated on their website, The Tavistock Institute, the World Economic Forum Cultural Leaders, the Schwab Foundation (Klaus Schwab Family), and the Center for Healthy Minds are also involved with this project. They describe the Wellbeing Project impact as “[serving] the needs for social changemakers.” A subset of the Wellbeing Project is aimed at teachers and caregivers. In the [Inaugural Teacher Wellbeing Research Report Launch Video](#), Marc Brackett is listed as a resource.

Increasingly, many are waking up to realize the impact that the WEF has on our everyday lives. The connections of the WEF and those involved with the origination of the SEL movement run deep. The Rockefellers, the Schwab Family, the Club of Rome, and the WEF are all connected to the elites and organizations involved with the formation of CASEL. They created an educational movement that focuses on the emotional and social over the logical and rational. CASEL’s framework, which utilizes the categories of self-management, responsible decision making, relationship skills, social awareness, and self-awareness, is subjective. Who gets to decide what is and what is not being socially aware? Because that person or group of people has a tremendous amount of power in our schools today.

King Alexander, Schneider Bertrand. *The First Global Revolution: A Report by the Council of the Club of Rome*, New York, NY: Pantheon Books; 1991.

Schmelzer, Matthias. Born in the corridors of the OECD: the forgotten origins of the Club of Rome, transnational networks, and the 1970s in global history, *Journal of Global History*. March 2017:34.

This [article](#) was originally published by [The Liberty Sentinel](#).



Thank you, Mr. Chairman, vice chair and members of this education committee.

Good morning, Ronald Reagan said this: " with all the profound wording of the constitution, probably the most meaningful words are the first three, WE THE PEOPLE."

Those of us here today, who have been elected to a legislative position, are in that three letter word phrase.

We are the people, chosen by them, to represent their concerns.
HB 1526 represents the concerns of many parents of children in our K-12 public school system. This bill addresses concerns of critical race theory, CRT, which has morphed and been renamed into social emotional learning, SEL.

While farming, we had to deal with a noxious weed we called creeping Jenny. Its root system developed underground, then grew up, revealing beautiful, white flowers covering the ground. The final result of creeping Jenny was the weed robbed the corn, soy beans, and forages of moisture. So the fruit of the harvest was greatly hindered.

Members of this committee, let's take a hard look at how we can help our education system be even better than it already is.

Thank you, Mr. Chairman and I will stand for questions. But I would prefer to discuss most of this in committee work.

23.1011.03001

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1526

Introduced by

Representatives Dyk, Hoverson, Prichard, Rios, Timmons

Senator Beard

1 A BILL for an Act to create and enact a new section to chapter 14-02.4, a new section to chapter
 2 15.1-07, and ~~three~~two new sections to chapter 15.1-21 of the North Dakota Century Code,
 3 relating to school discrimination, parental rights and involvement in school, curbing of social
 4 emotional learning, ~~required curriculum,~~ and the review and recommendation of instructional
 5 materials; to amend and reenact subsection 6 of section 14-02.4-02 and section 15.1-21-24 of
 6 the North Dakota Century Code, relating to the definition of a discriminatory practice and
 7 reproductive health education requirements; and to provide a penalty.

8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

9 **SECTION 1. AMENDMENT.** Subsection 6 of section 14-02.4-02 of the North Dakota
 10 Century Code is amended and reenacted as follows:

- 11 6. "Discriminatory practice" means ~~an~~:
- 12 a. An act or attempted act which because of race, color, religion, sex, national
 13 origin, age, physical or mental disability, status with regard to marriage or public
 14 assistance, or participation in lawful activity off the employer's premises during
 15 nonworking hours which is not in direct conflict with the essential
 16 business-related interests of the employer results in the unequal treatment or
 17 separation or segregation of any persons, or denies, prevents, limits, or
 18 otherwise adversely affects, or if accomplished would deny, prevent, limit, or
 19 otherwise adversely affect, the benefit of enjoyment by any person of
 20 employment, labor union membership, public accommodations, public services,
 21 or credit transactions. The term "discriminate" includes segregate or separate
 22 and for purposes of discrimination based on sex, it includes sexual harassment.
 23 Sexual harassment includes unwelcome sexual advances, requests for sexual

1 favors, sexually motivated physical conduct or other verbal or physical conduct or
2 communication of a sexual nature when:

- 3 a. (1) Submission to that conduct or communication is made a term or condition,
4 either explicitly or implicitly, of obtaining employment, public
5 accommodations or public services, or education;
- 6 b. (2) Submission to or rejection of that conduct or communication by an individual
7 is used as a factor in decisions affecting that individual's employment, public
8 accommodations or public services, education, or housing; or
- 9 e. (3) That conduct or communication has the purpose or effect of substantially
10 interfering with an individual's employment, public accommodations, public
11 services, or educational environment; and in the case of employment, the
12 employer is responsible for its acts and those of its supervisory employees if
13 it knows or should know of the existence of the harassment and fails to take
14 timely and appropriate action.

15 b. A violation of section 2 of this Act.

16 **SECTION 2.** A new section to chapter 14-02.4 of the North Dakota Century Code is
17 created and enacted as follows:

18 **Discriminatory practices - State education system.**

19 1. As used in this section:

- 20 a. "Bodily contact sports" means sports including wrestling, boxing, rugby,
21 ice hockey, football, and basketball, in which the purpose or major activity
22 involves bodily contact.
- 23 b. "Sex" means the biological state of being female or male, based on the
24 individual's nonambiguous sex organs, chromosomes, and endogenous hormone
25 profiles at birth and acknowledged accordingly on the individual's original birth
26 certificate.
- 27 ~~c. "State education system" means a school district under the purview of the~~
28 ~~superintendent of public instruction, including a student or employee of the~~
29 ~~school district, and an institution of higher education under the control of the state~~
30 ~~board of higher education, including a student or employee of the institution.~~

- 1 2. An individual may not be excluded from participation in, be denied the benefits of, or
2 be subjected to discrimination as an employment condition or practice conducted by a
3 ~~state education system institution that receives or benefits from federal or state-~~
4 ~~financial assistance~~ school district.
- 5 3. Admission to a class may not be based on race, color, national origin, sex, disability,
6 religion, or marital status.
- 7 4. A class must be available to a student regardless of race, color, national origin, sex,
8 disability, religion, or marital status. This subsection may not be interpreted as
9 prohibiting meeting the needs of a student with limited proficiency in English, a gifted
10 student, or a student with disabilities or a program tailored to a student with a
11 specialized talent or skill.
- 12 5. A student may be separated by sex for any portion of a class that deals with human
13 reproduction.
- 14 6. Guidance services, counseling services, and financial assistance services in the state
15 education system must be available to a student regardless of race, color, national
16 origin, sex, disability, religion, or marital status.
- 17 7. ~~The state education system~~ A school district may operate or sponsor separate teams
18 for members of each sex if the selection for such teams is based upon competitive skill
19 or the activity involved is a bodily contact sport.
- 20 8. This section does not prohibit grouping students in a physical education class or
21 activity by ability assessed by objective standards of individual performance developed
22 and applied regardless of sex. However, when use of a single standard of measuring
23 skill or progress in a physical education class has an adverse effect on an individual of
24 one sex, the educational institution shall use appropriate standards which do not have
25 that effect.
- 26 9. ~~A state education system institutions~~ school district that operates or sponsors
27 interscholastic, intercollegiate, club, or intramural athletics shall provide equal athletic
28 opportunity for an individual regardless of sex.
- 29 a. ~~The state board of higher education shall determine whether an institution it~~
30 ~~administers provides equal opportunities.~~

1 ~~b.~~ The superintendent of public instruction shall determine whether school districts
2 provide equal opportunities. Factors to consider in making this determination
3 include:

- 4 (1) Whether the selection of sports and competition levels effectively
5 accommodate the interests and abilities of an individual regardless of sex;
- 6 (2) Access to equipment and supplies;
- 7 (3) Scheduling of games and practice times;
- 8 (4) Travel and per diem allowance;
- 9 (5) An opportunity for an individual to receive coaching and academic tutoring;
- 10 (6) Assignment and compensation of coaches and tutors;
- 11 (7) Access to locker rooms and practice or competitive facilities;
- 12 (8) Access to medical or training facilities and services;
- 13 (9) Provision of housing or dining facilities and services; and
- 14 (10) Publicity.

15 ~~e.b.~~ An unequal aggregate expenditure for individuals of one sex or for single-gender
16 teams in a state education system sponsoring separate teams, does not
17 constitute a violation of this subsection, but the superintendent of public
18 instruction and the state board of higher education shall consider the failure to
19 provide necessary funds for a single-gender team in assessing equality of
20 opportunity for individuals of each sex.

21 10. Subjecting a student or employee to training or instruction that espouses, promotes,
22 advances, inculcates, or compels such student or employee to believe any of the
23 following concepts is a discriminatory practice:

- 24 a. An individual of one race, color, sex, or national origin:
 - 25 (1) Is morally superior to an individual of another race, color, sex, or national
26 origin.
 - 27 (2) Is required to treat another individual differently based on race, color, sex, or
28 national origin.
- 29 b. An individual, by virtue of the individual's race, color, sex, or national origin:
 - 30 (1) Is inherently marginalized, supremacist, racist, sexist, or oppressive,
31 whether consciously or unconsciously.

- 1 (2) Bears responsibility for, or should be discriminated against or receive
2 adverse treatment because of, an action committed in the past by an
3 individual of the same race, color, sex, or national origin.
- 4 (3) Should be discriminated against or receive adverse treatment to achieve
5 diversity, equity, or inclusion or should be the benefactor of wealth
6 redistribution in order to achieve equality.
- 7 (4) Bears personal responsibility for and must feel guilt, anguish, or other forms
8 of psychological distress because of an action, in which the individual
9 played no part, committed in the past by an individual of the same race,
10 color, sex, or national origin.
- 11 c. An individual's moral character or status as either privileged or oppressed is
12 necessarily determined by the individual's race, color, sex, or national origin.
- 13 d. A virtue, including merit, excellence, hard work, fairness, neutrality, objectivity,
14 and racial colorblindness, is racist or sexist, was created by an individual of a
15 particular race, color, sex, or national origin to oppress an individual of another
16 race, color, sex, or national origin, or that wealth redistribution would improve the
17 United States.
- 18 11. This section may not be construed to prohibit discussion of a concept listed in
19 subsection 10 as part of a course of training or instruction, provided the training or
20 instruction is given in an objective manner without endorsement of the concept.
- 21 12. The superintendent of public instruction ~~and the state board of higher education~~ shall
22 develop and implement a method or strategy to increase the participation of a student
23 of a particular race, color, national origin, sex, disability, or marital status in a program
24 or course in which students of that particular race, color, national origin, sex, disability,
25 or marital status have been traditionally underrepresented, including mathematics,
26 science, computer technology, electronics, communications technology, engineering,
27 and career education. The superintendent of public instruction shall study the
28 effectiveness of the method or strategy, including performing followup monitoring.

29 **SECTION 3.** A new section to chapter 15.1-07 of the North Dakota Century Code is created
30 and enacted as follows:

1 **Academic progress - Information for parents.**

2 A school district shall provide a parent of a public school student with accurate and timely
3 information regarding the student's academic progress and strategies for a parent to help a
4 parent's student succeed in school.

5 **SECTION 4. AMENDMENT.** Section 15.1-21-24 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-21-24. Health curriculum - Content.**

8 1. Beginning July 1, 2012, each school district and nonpublic school shall ensure that the
9 portion of its health curriculum which is related to sexual health includes instruction
10 pertaining to the risks associated with adolescent sexual activity and the social,
11 psychological, and physical health gains to be realized by abstaining from sexual
12 activity before and outside of marriage.

13 2. Instructional materials used to teach reproductive health or any disease, including
14 human immunodeficiency virus infection and acquired immunodeficiency syndrome, its
15 symptoms, development, and treatment, must be approved annually by the board of a
16 school district in an open public meeting.

17 3. A public school student must be exempted from the teaching of reproductive health or
18 any disease, including human immunodeficiency virus infection and acquired
19 immunodeficiency syndrome, if the student's parent makes a written request to the
20 school principal. A school district shall provide notice of this right and the process to
21 request an exemption on a school district's website homepage. A school district
22 homepage must include a link for a student's parent to access and review the
23 instructional materials used to teach the curriculum.

24 ~~SECTION 5. A new section to chapter 15.1-21 of the North Dakota Century Code is created~~
25 ~~and enacted as follows:~~

26 ~~**Required instruction - Noncompliance - State aid withholding.**~~

27 ~~1. A member of the instructional staff of a public school subject to the rules of the~~
28 ~~superintendent of public instruction and board of a school district, shall efficiently and~~
29 ~~faithfully teach the following, using the required books and materials meeting the~~
30 ~~highest standards for professionalism and historical accuracy, following the prescribed~~
31 ~~courses of study, and employing approved methods of instruction:~~

- 1 ~~a. The history and content of the Declaration of Independence, including national~~
- 2 ~~sovereignty, natural law, self-evident truth, equality of all persons, limited~~
- 3 ~~government, popular sovereignty, and the inalienable rights of life, liberty, and~~
- 4 ~~property, and how they form the philosophical foundation of our government.~~
- 5 ~~b. The history, meaning, significance, and effect of the Constitution of the United~~
- 6 ~~States and amendments thereto, with emphasis on each of the ten amendments~~
- 7 ~~that make up the Bill of Rights and how the Constitution provides the structure of~~
- 8 ~~our government.~~
- 9 ~~c. Arguments in support of adopting our republican form of government, as~~
- 10 ~~embodied in the Federalist Papers.~~
- 11 ~~d. Flag education, including proper flag display and flag salute.~~
- 12 ~~e. Elements of civil government, including the primary functions of and~~
- 13 ~~interrelationships between the federal government, the state, and its counties,~~
- 14 ~~municipalities, school districts, and special districts.~~
- 15 ~~f. The history of the United States, including the period of discovery, early colonies,~~
- 16 ~~the War for Independence, the Civil War, the expansion of the United States to its~~
- 17 ~~present boundaries, the world wars, and the civil rights movement to the present.~~
- 18 ~~American history must be viewed as factual, not as constructed, must be viewed~~
- 19 ~~as knowable, teachable, and testable, and must be defined as the creation of a~~
- 20 ~~new nation based largely on the universal principles stated in the Declaration of~~
- 21 ~~Independence.~~
- 22 ~~g. The history of the Holocaust from 1933 to 1945, the systematic, planned~~
- 23 ~~annihilation of European Jews and other groups by Nazi Germany, a watershed~~
- 24 ~~event in the history of humanity, to be taught in a manner that leads to an~~
- 25 ~~investigation of human behavior, an understanding of the ramifications of~~
- 26 ~~prejudice, racism, and stereotyping, and an examination of what it means to be a~~
- 27 ~~responsible and respectful individual, for the purposes of encouraging tolerance~~
- 28 ~~of diversity in a pluralistic society and for nurturing and protecting democratic~~
- 29 ~~values and institutions, including the policy, definition, and historical and current~~
- 30 ~~examples of antisemitism, and the prevention of antisemitism. Each school~~
- 31 ~~district shall certify annually and provide evidence to the superintendent of public~~

1 ~~instruction, in a manner prescribed by the superintendent, that the requirements~~
2 ~~of this subdivision are met. The superintendent shall prepare and offer standards~~
3 ~~and curriculum for the instruction required by this subdivision and may seek input~~
4 ~~from a state or nationally recognized Holocaust educational organization. The~~
5 ~~superintendent may contract with a state or nationally recognized Holocaust~~
6 ~~educational organization to develop training for instructional personnel and~~
7 ~~grade-appropriate classroom resources to support the developed curriculum. The~~
8 ~~second week in November is designated "Holocaust Education Week" in this~~
9 ~~state in recognition that November is the anniversary of Kristallnacht, widely~~
10 ~~recognized as a precipitating event that led to the Holocaust.~~

11 ~~h. The history of African Americans, including the history of African peoples before~~
12 ~~the political conflicts that led to the development of slavery, the passage to~~
13 ~~America, the enslavement experience, abolition, and the history and contributions~~
14 ~~of Americans of the African diaspora to society. A public school student shall~~
15 ~~develop an understanding of the ramifications of prejudice, racism, and~~
16 ~~stereotyping, and of individual freedoms, and examine what it means to be a~~
17 ~~responsible and respectful individual, to encourage tolerance of diversity in a~~
18 ~~pluralistic society, and to nurture and protect democratic values and institutions.~~
19 ~~Instruction must include the roles and contributions of individuals from all walks of~~
20 ~~life and their endeavors to learn and thrive throughout history as artists,~~
21 ~~scientists, educators, businesspeople, influential thinkers, members of the faith~~
22 ~~community, and political and governmental leaders, and the courageous steps~~
23 ~~they took to fulfill the promise of democracy and unite the nation. Instructional~~
24 ~~materials must include the vital contributions of African Americans to build and~~
25 ~~strengthen American society and celebrate the inspirational stories of African~~
26 ~~Americans who prospered, even in the most difficult circumstances. Instructional~~
27 ~~personnel may facilitate discussions and use curricula to address, in an~~
28 ~~age-appropriate manner, how slavery, racial oppression, racial segregation, and~~
29 ~~racial discrimination infringed on individual freedoms, as well as topics relating to~~
30 ~~the enactment and enforcement of laws resulting in racial oppression, racial~~
31 ~~segregation, and racial discrimination and how recognition of individual freedoms~~

- 1 ~~overturned unjust laws. Classroom instruction and curriculum may not be used to~~
2 ~~indoctrinate or persuade students to take a particular viewpoint inconsistent with~~
3 ~~the principles enumerated in subsection 2 or the state content standards. The~~
4 ~~superintendent of public instruction shall prepare and offer standards and~~
5 ~~curriculum for the instruction required by this subdivision.~~
- 6 ~~i. Elementary principles of agriculture.~~
7 ~~j. Effects of all alcoholic and intoxicating liquors and beverages and narcotics on~~
8 ~~the human body and mind.~~
- 9 ~~k. Kindness to animals.~~
10 ~~l. State history of North Dakota.~~
11 ~~m. Natural resource conservation.~~
12 ~~n. Comprehensive age-appropriate and developmentally appropriate instruction:~~
13 ~~(1) On health education addressing concepts of community health, consumer~~
14 ~~health, environmental health, and family life, including:~~
15 ~~(a) Injury prevention and safety;~~
16 ~~(b) Internet safety;~~
17 ~~(c) Nutrition;~~
18 ~~(d) Personal health;~~
19 ~~(e) Prevention and control of disease;~~
20 ~~(f) Substance use and abuse; and~~
21 ~~(g) Prevention of child sexual abuse, exploitation, and human trafficking.~~
22 ~~(2) For students in grades seven through twelve, on teen dating violence and~~
23 ~~abuse. This component shall include the definition of dating violence and~~
24 ~~abuse, the warning signs of dating violence and abusive behavior, the~~
25 ~~characteristics of healthy relationships, measures to prevent and stop dating~~
26 ~~violence and abuse, and community resources available to a victim of dating~~
27 ~~violence and abuse.~~
28 ~~(3) For students in grades six through twelve, on the benefits of sexual~~
29 ~~abstinence as the expected standard and the consequences of teenage~~
30 ~~pregnancy.~~

- 1 ~~(4) On life skills that build confidence, support mental and emotional health, and~~
2 ~~enable students to overcome challenges, including:~~
- 3 ~~(a) Self-awareness and self-management;~~
4 ~~(b) Responsible decisionmaking;~~
5 ~~(c) Resiliency;~~
6 ~~(d) Relationship skills and conflict resolution;~~
7 ~~(e) Understanding and respecting other viewpoints and backgrounds; and~~
8 ~~(f) For students in grades nine through twelve:~~
- 9 ~~[1] Developing leadership skills, interpersonal skills, organization-~~
10 ~~skills, and research skills;~~
- 11 ~~[2] Creating a resume, including a digital resume, developing and~~
12 ~~practicing the skills necessary for employment interviews,~~
13 ~~workplace ethics, and workplace law;~~
- 14 ~~[3] Exploring career pathways and using state career planning~~
15 ~~resources; and~~
- 16 ~~[4] Managing stress and expectations, and self-motivation.~~
- 17 ~~e. Curriculum as prescribed by law, the superintendent of public instruction, or a~~
18 ~~board of a school district.~~
- 19 ~~p. Hispanic contributions to the United States.~~
20 ~~q. Women's contributions to the United States.~~
21 ~~r. The nature and importance of free enterprise to the United States economy.~~
22 ~~s. Civic and character education on the qualities and responsibilities of patriotism~~
23 ~~and citizenship, including:~~
- 24 ~~(1) Kindness, honesty, cooperation, and charity;~~
25 ~~(2) Respect for authority, life, liberty, and personal property;~~
26 ~~(3) Racial, ethnic, and religious tolerance; and~~
27 ~~(4) For grades eleven and twelve, voting using a ballot.~~
- 28 ~~t. To encourage patriotism, the sacrifices that veterans and medal of honor~~
29 ~~recipients have made in serving our country and protecting democratic values~~
30 ~~worldwide. This instruction must occur on or before Vietnam veterans' day,~~
31 ~~patriots' day, memorial day, and veterans' day. An instructional staff member may~~

1 ~~use the assistance of local veterans and medal of honor recipients when~~
2 ~~practicable. The superintendent of public instruction may adopt standards and~~
3 ~~pursue assessment of the requirements of this subdivision.~~

4 ~~2. Instructional personnel may facilitate discussions and use curricula to address, in an~~
5 ~~age-appropriate manner, how the freedoms of individuals have been infringed by~~
6 ~~sexism, slavery, racial oppression, racial segregation, and racial discrimination,~~
7 ~~including topics relating to the enactment and enforcement of laws resulting in sexism,~~
8 ~~racial oppression, racial segregation, and racial discrimination, including how~~
9 ~~recognition of these freedoms have overturned unjust laws. Classroom instruction and~~
10 ~~curriculum may not be used to indoctrinate or persuade a student to take a particular~~
11 ~~viewpoint inconsistent with the principles of this subsection or state content standards.~~
12 ~~Instruction and supporting materials on a topic enumerated in this section must be~~
13 ~~consistent with the following principles of individual freedom:~~

14 ~~a. An individual is not inherently racist, sexist, or oppressive, whether consciously or~~
15 ~~unconsciously, solely by virtue of his or her race or sex.~~

16 ~~b. A race is not inherently superior to another race.~~

17 ~~c. An individual should not be discriminated against or receive adverse treatment on~~
18 ~~the basis of race, color, national origin, religion, disability, or sex.~~

19 ~~d. Meritocracy or traits including a strong work ethic are not racist but fundamental~~
20 ~~to the right to pursue happiness and be rewarded for industry.~~

21 ~~e. An individual, by virtue of an individual's race or sex, does not bear responsibility~~
22 ~~for actions committed in the past by others of the same race or sex.~~

23 ~~f. An individual should not feel guilt, anguish, or other forms of psychological~~
24 ~~distress for actions, in which an individual played no part, committed in the past~~
25 ~~by other members of the same race or sex.~~

26 ~~3. The superintendent of public instruction shall develop or adopt a curriculum to inspire~~
27 ~~future generations through motivating stories of American history that demonstrate the~~
28 ~~life skills and principle of individual freedom that enabled individuals to prosper even in~~
29 ~~the most difficult circumstances. This curriculum must be known as "Stories of~~
30 ~~Inspiration" and must be made available to schools to implement the requirements of~~
31 ~~subsection 2.~~

1 ~~4. An alleged violation of this section must be reported to the instructional materials~~
2 ~~reviewer in accordance with section 6 of this Act. After an investigation conducted~~
3 ~~under section 6 of this Act, the superintendent of public instruction shall withhold state-~~
4 ~~aid payments under chapter 15.1-27 or impose a penalty recommended by the~~
5 ~~instructional materials reviewer for a school district found to have violated the~~
6 ~~requirement of this section.~~

7 **SECTION 5.** A new section to chapter 15.1-21 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Evaluation of instructional materials.**

- 10 1. The board of a school district is responsible for the content of instructional materials
11 used in a classroom or otherwise made available to a student and shall obtain parental
12 approval for all instructional materials. The board of a school district shall adopt rules
13 and each school district superintendent shall implement procedures that provide a
14 process for:
- 15 a. Public review of, public comment on, and the adoption of instructional materials,
16 including instructional materials used to teach reproductive health or any disease,
17 including human immunodeficiency virus infection and acquired
18 immunodeficiency syndrome, in compliance with section 4 of this Act; and
 - 19 b. Reporting a violation of ~~section 5 of this Act~~this section.
- 20 2. The instructional materials reviewer shall:
- 21 a. Recommend for adoption only:
 - 22 (1) Instructional materials aligned with the state content standards;
 - 23 (2) Accurate, objective, balanced, noninflammatory, current instructional
24 materials;
 - 25 (3) Instructional materials free of pornography; and
 - 26 (4) Instructional materials suited to student needs and ability to comprehend the
27 material presented;
 - 28 b. Consider for recommendation for adoption instructional materials developed for
29 academically talented students, including students enrolled in advanced
30 placement courses;

- 1 c. Require, when appropriate for student comprehension, instructional materials for
- 2 a social science, history, or civics class to include the Declaration of
- 3 Independence and the Constitution of the United States; and
- 4 d. Refrain from recommending instructional materials unfairly portraying an
- 5 individual because of race, color, creed, national origin, ancestry, gender, religion,
- 6 disability, socioeconomic status, or occupation or otherwise contradicting the
- 7 principles enumerated under sections 4 and 5 of this Act.
- 8 e. Upon receiving a report of an alleged violation of section 5 of this Act, conduct an
- 9 investigation and determine whether a violation occurred.
- 10 f. Upon determining a violation of section 5 of this Act has occurred, make a
- 11 recommendation to the superintendent of public instruction to impose a penalty
- 12 on the school district that violated the requirements of section 5 of this Act.
- 13 3. The board of a school district shall adopt rules and each school district superintendent
- 14 shall implement procedures to acquire parental consent for all instructional materials.

15 **SECTION 6.** A new section to chapter 15.1-21 of the North Dakota Century Code is created
16 and enacted as follows:

17 **Curriculum - Social emotional learning - Prohibited.**

18 1. A teacher may not:

- 19 a. Address the emotional problems of a student but shall refer a student with
- 20 emotional problems to the appropriate counseling services provided by the
- 21 school;
- 22 b. Inform a student's worldview based on emotions;
- 23 c. Measure the mental health of a student, including administering ongoing
- 24 evaluations or surveys;
- 25 d. Influence a student to adopt religious views different from a student's parent's
- 26 religious views;
- 27 e. Teach a student that the student's inner feelings are capable of guiding the
- 28 student's life; or
- 29 f. Turn a student who is seeking help away without directing the student to the
- 30 proper school counselor, parent, or guardian.

31 2. A teacher may:

Sixty-eighth
Legislative Assembly

- 1 a. Teach transcendent and universal moral truths; and
- 2 b. Teach and encourage a student to seek moral and emotional help from the
- 3 student's family, religious institution, and other civil organizations.



NDSBA
NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION

P.O. Box 7128
Bismarck ND 58507-7128
1-800-932-8791 • (701)255-4127
www.ndsba.org

HB 1526
Testimony of Amy De Kok
House Education Committee
February 7, 2023

Chairman Heinert and members of the House Education Committee, my name is Amy De Kok. I am General Counsel for the North Dakota School Boards Association. NDSBA represents all North Dakota public school districts and their boards. NDSBA stands in opposition to HB 1526.

NDSBA has several concerns regarding the bill. First, Section 5 seeks to add a section to chapter 15.1-21 of the Century Code with a long list of detailed instructional requirements. NDSBA believes this would be a significant and unnecessary overreach on local control of education. As many of you know, the state, through the Department of Public Instruction, selects state standards relating to the provision of K-12 education in North Dakota. This is done with the input and assistance with teachers throughout the state. The local school district then adopts curriculum which meets the requirements of the state standards, also with the input of teachers and its community. The teachers then select instructional materials that correspond and comply with the curriculum adopted by the local school board.

Parents, communities, and their locally elected school boards know what is best for their students. Real strength and survival of our public schools depends on maintaining the ability of local parents, citizens and board members to help shape our children's educational experience. Local control allows voters the opportunity to elect their local school board representative. A school board is an advocate for their community when decisions are made about children's education and provides citizen governance for what the public schools need in accordance with the community's beliefs and values. Who better than these leaders to shoulder the responsibility for preparing our children to live productive and satisfying lives?

NDSBA also has concerns regarding Section 6 of the bill. This section would require school districts to obtain parental approval for all instructional materials. While "instructional materials" is not defined in the bill, this generally refers to all print and non-print materials, including textbooks, as well as supplementary, library and other educational materials, used for the education of students in the teaching-learning process. Local school districts already have policies in place detailing the process for curriculum development and design which is adopted by the board with teacher, parental and community input. Once the curriculum is adopted, the teachers then choose appropriate instructional materials to teach the required curriculum. If teachers are required to obtain parental

approval of each and every instructional material, this would significantly effect the ability of school districts to deliver educational services in an efficient manner. What happens if one parent objects to the materials? Does that mean the materials cannot be used? Does that mean education must stop until new materials are identified and then approved as well? This would force teachers to have each and every resource and instructional material identified well in advance of the school year so as to not cause a delay in the delivery of education during the school year. This is a burdensome and unnecessary ask of our teachers and local administrators.

Section 6 also requires a process for instructional materials to be reviewed by the public upon request. This is unnecessary as this process has already been in place in most districts throughout the state for some time now. In addition, following the 2021 special session, the Department of Public Instruction adopted administrative rules to enforce the requirements of NDCC 15.1-21-05.1. The administrative rules require local school boards to adopt a policy that provides a process for public review of curriculum, instructional materials, and resources upon request. These rules became effective January 1 of this year. Therefore, Section 6 of the bill is unnecessary and would likely conflict with existing law and administrative rules.

Finally, Section 7 prohibits the teaching of social emotional learning. We place our children in the care of local public schools for a significant portion of their early years in life. Schools do not just teach the core subjects but must also help students become good and productive members of society. This must involve helping them learn skills to understand and communicate with others, build strong relationships, and make good, empathetic decisions. That is what social and emotional learning (SEL) is all about. Again, NDSBA believes in local control of determination, development and design of curriculum and of letting local boards, teachers, parents, and communities decide what is best for their students.

For these reasons, NDSBA stands in opposition to HB 1526 and strongly encourages this committee to give it a do not pass recommendation. Thank you for your time, and I will stand for any questions.

HB 1526
Rep Dyk
02-13-23

I

believe that the term social-emotional learning has gotten hijacked in the past few years from what teachers are actually honoring, modeling, and expecting in classrooms. Classroom teachers have historically been expected to model and assess whether students demonstrate a certain emotional and social expectation of community that exists in our democratic society and republic system of government.

My report card in the 1970s contained examples of the teachers' responsibility to grade "social-emotional characteristics" of my performance. For example, my grade school report card included 9-week assessments of:

1. Consideration of Others
2. Thoughtfulness
3. Conscientiousness
4. Reliability
5. Punctuality
6. Obedience
7. Respectful behavior given to teachers, aides, schoolmates

In junior high my report card contained these things:

Obedience – Willingness to follow directions, law & order

Dependableness – Honesty, keeping of promises, promptness, loyalty, willingness to co-operate and compromise with others, self-control

Courtesy – Courtesy to associates and teachers, respect for rights of others, acceptance of different views, fair play, cheerfulness

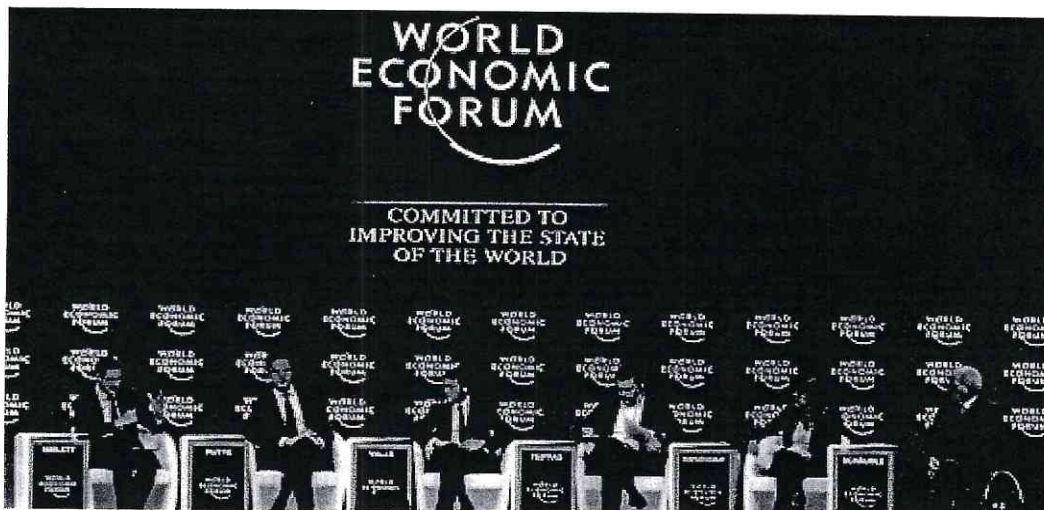
Cleanliness – of person, of clothes, of behavior, of speech

Thrift – Respect for property, care of books, furniture and building, care of own property; consideration for the property of others; recognition of the value of time

When teachers and parents think of social-emotional learning they likely think of things like the above, along with things like perseverance and grit, when a student is feeling frustrated or mad. They feel it is part of their historical responsibility to teach/model these good character traits when students are in their first of many life's experience of participating in community.

I hope this is helpful.

by State Super Intendent
of Department of Public Instruction



The Connections Between the Global Elites, the World Economic Forum, and the Social-Emotional Learning Movement

04.23.22



Written by Sarah Winters

Is social-emotional learning (SEL) being deliberately used in our public schools to promote the World Economic Forum (WEF) agenda? The Collaborative for Academic, Social, and Emotional Learning (CASEL) was instrumental in initiating the SEL movement that has quickly spread across the globe. The connections of CASEL’s founders and those associated with the WEF are astounding. Some of CASEL’s creators, founding organizations, and board members are connected to the Rockefellers, the Klaus Schwab Family, and the Club of Rome/WEF.

The transition to SEL places more of an emphasis on emotional rather than academic development. This new style of education is heavily entrenched in the public schools and is the main method of promoting equity-based education. As with many of the policies affecting this generation of children, CASEL embraces activism on their website by “promoting justice-oriented school and civic engagement.” The SEL movement also acquaints children with the idea that collective rights usurp their individual rights. CASEL says little about helping an individual child reach their individual potential. The framework of self-management, responsible decision making, relationship skills, social awareness, and self-awareness creates a particular political mold and lens through which children are taught to view the world. Individual creative/out-of-box thinking has been integral to the success of the United States. What effect the SEL movement will have on this type of innovative thinking and how it will hamper the ability of children to grow and develop their individual strengths remains to be seen.

CASEL partners with many global elites including The Bill and Melinda Gates Foundation, the Chan Zuckerberg Initiative, the Fetzer Institute, the NoVo Foundation, and the Patrick McGovern Foundation as well as others. Both the Bill and Melinda Gates Foundation and the Patrick McGovern Foundation have financially supported the WEF.

The WEF was established in 1971 by **Klaus Schwab**. It is notorious for its yearly meeting in Davos, Switzerland. Speaking in [the 50th Anniversary video](#) of the Club of Rome, Gunter Pauli states, “the first meeting of the World Economic Forum, the European Forum, was the Club of Rome.” In the same video, the statement is made that Klaus Schwab is a member of the Club of Rome. Aurelio Peccei’s, “Phd was about the first five-year plan of Lenin,” Gunter Pauli informs earlier in the video. Peccei was one of the creators of the Club of Rome.

The Club of Rome’s *The First Global Revolution*, published in 1991, makes a similar statement to CASEL’s mission (Alexander King, Bertrand Schneider, 1991):

“Educators of today and tomorrow will be in a better position to discover the immensity and the nobility of their task: to lead the way to an evolution of the mind and behavior and thus to give birth to the new—one and manifold—civilization.”

“But that which is cerebral and intellectual in him cannot approach so mysterious a truth as reality unless it equally resorts to the apparently irrational, the intuitive and the emotional, which are, to a great extent, the foundation of human relationships.”

On their website, the Club of Rome claims their “goal is to actively advocate for paradigm and systems shifts which will enable society to emerge from our current crises, by promoting a new way of being human, within a more resilient biosphere.”

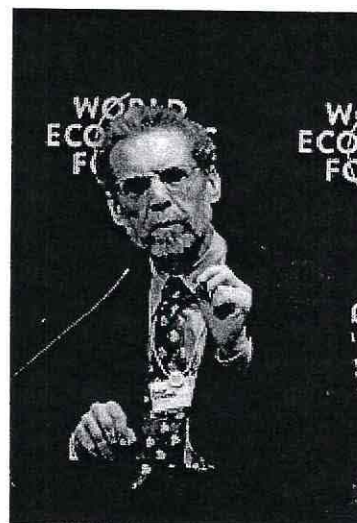
The Rockefeller Foundation was involved at the start of the Club of Rome. “Only half a year after the founding meeting of the Club of Rome, the OECD in collaboration with the Rockefeller Foundation, held a ‘Working Symposium on Long-Range Forecasting and Planning’ in Bellagio, Italy.” (Schmelzer, 2017)

The Club of Rome has interest in youth programs which seek to transform children. **Michael Dorsey**, member of the Club of Rome, is a founder of the Sunrise Movement, a program that creates radical child activists who proclaim on their website that they, “are the climate revolution.” Similarly, on their website, the Club of Rome discusses a youth “Psychological Mastery Training Program” in order to “build emotional self-awareness” in future “community leaders” so that they will be able to deal with “the distress of climate trauma and vicarious trauma exposure.”

Likewise, CASEL engages in initiatives that seek to transform, categorizing these initiatives on their website as Transformative SEL. They state that this type of SEL helps students “critically examine root causes of inequity,” “[redistribute] power,” and “emphasizes development of identity...within the CASEL framework.”

According to Edutopia.org, *Social and Emotional Learning: A Short History*, CASEL originated at a meeting at the Fetzer Institute in 1994. It was created as a result of the Comer Project, which, according to Encyclopedia.com, began in 1968 in the New Haven, CT schools. The Comer Project achieved success by focusing on student’s “social skills and self-esteem.” In 1990, the project

received \$15 million from the Rockefeller Foundation “to [introduce] the program in schools throughout the United States.” David Rockefeller’s daughter, **Eileen Rockefeller Growald**, *NY Times* author and Fetzer Institute fellow, **Daniel Goleman**, and the son of **Sargent Shriver** and **Eunice Kennedy Shriver**, Tim Shriver, were among some of the original creators.



In 1995, Goleman, published the best-selling book *Emotional Intelligence*. It proposed that emotional skills should be incorporated into school curriculum based on the premise that emotional skills are as important as IQ for success. Techniques such as mindfulness were integrated into the public schools. This led to a shift in education, converting it to a holistic or “whole child” style of education. Through these programs, teachers transitioned from educators into child developers. Developmental psychology began to be used throughout the school day often without the parent’s awareness or inclusion. Goleman has links to the World Economic Forum. He spoke at the WEF Annual Meeting in 2011, and he is [listed](#) on the WEF agenda webpage.

Current Board Chair, **Tim Shriver**, was a founder of CASEL. He is a member of the **David Rockefeller** connected Council on Foreign Relations. He is also “a regular participant in the World Economic Forum,” stated in the WPP.com article, titled *WPP Appoints Timothy Shriver, Chairman of Special Olympics, as non-exec director*. According to their 2019 tax filings, Shriver received \$400,671 from Rockefeller Philanthropy Advisors. In 2012, he wrote an article for the HuffPost titled, *Reflections from Davos*. He wrote another article for the HuffPost in 2017 titled, *What Davos Taught Us: Moving from Information to Inspiration*. In the article, he declares,

“we will be on our way to that ‘new collective and moral consciousness’ the world so desperately needs and which so many of us want to choose.” In 2018, he was the Association for Supervision and Curriculum Development (ASCD) Leadership Institute for Legislative Advocacy (LILA) Keynote Speaker. Although context was not given for his presentation, the bottom of one slide in his [presentation](#) says to educators “you are trying to lead a cultural revolution.”

Another slide in the presentation lists the WEF skills that “involve social and emotional intelligence,” which include people management, judgement and decision making, and negotiation.

The 2022 [Wisdom 2.0](#) Conference is a global mindfulness summit sponsored in part by a CASEL founding organization and supporter, the Fetzer Institute. Another board member of CASEL, **Marc**

Brackett, lists [Wisdom 2.0](#) as one of his consultation projects on his website. Furthermore, Brackett has a company, Oji Life Lab to help improve emotional intelligence and decision skills. A top investor in his company was **Bo Shao** of Matrix Partner China. [Shao](#) is a WEF Young Global Leader and founder of Evolve Ventures. He will be a speaker at the 2022 [Wisdom 2.0](#) Conference. **Dr. Richard Davidson**, founder of the Center for Healthy Minds, was a past speaker at the [Wisdom 2.0](#) Conference. The Wisdom Leadership 2.0 webpage says that he has “[led] conversations on well-being on international stages such as the World Economic Forum.” Davidson has a [WEF page](#) and is a [member](#) of the World Economic Forum’s Global Agenda Council on Mental Health. He also co-authored a book with CASEL co-founder Daniel Goleman titled *Altered Traits: Science Reveals How Meditation Changes Your Mind, Brain, and Body*.

An Esalen.org article titled *Wellbeing Project Reveals Changemakers’ Need for Personal Support* informs that the Fetzer Institute is in a joint project along with the Esalen Institute called the Wellbeing Project. As indicated on their website, The Tavistock Institute, the World Economic Forum Cultural Leaders, the Schwab Foundation (Klaus Schwab Family), and the Center for Healthy Minds are also involved with this project. They describe the Wellbeing Project impact as “[serving] the needs for social changemakers.” A subset of the Wellbeing Project is aimed at teachers and caregivers. In the [Inaugural Teacher Wellbeing Research Report Launch Video](#), Marc Brackett is listed as a resource.

Increasingly, many are waking up to realize the impact that the WEF has on our everyday lives. The connections of the WEF and those involved with the origination of the SEL movement run deep. The Rockefellers, the Schwab Family, the Club of Rome, and the WEF are all connected to the elites and organizations involved with the formation of CASEL. They created an educational movement that focuses on the emotional and social over the logical and rational. CASEL’s framework, which utilizes the categories of self-management, responsible decision making, relationship skills, social awareness, and self-awareness, is subjective. Who gets to decide what is and what is not being socially aware? Because that person or group of people has a tremendous amount of power in our schools today.

King Alexander, Schneider Bertrand. *The First Global Revolution: A Report by the Council of the Club of Rome*, New York, NY: Pantheon Books; 1991.

Schmelzer, Matthias. Born in the corridors of the OECD: the forgotten origins of the Club of Rome, transnational networks, and the 1970s in global history, *Journal of Global History*. March 2017:34.

This [article](#) was originally published by [The Liberty Sentinel](#).



23.1011.03002
Title.

Prepared by the Legislative Council staff for
the House Education Committee
February 9, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1526

Page 1, line 2, replace "three" with "two"

Page 1, line 4, remove "required curriculum,"

Page 2, remove lines 27 through 30

Page 3, remove line 3

Page 3, line 4, replace "financial assistance" with "school district"

Page 3, line 17, replace "The state education system" with "A school district"

Page 3, line 26, replace "state education system institution" with "school district"

Page 3, line 29, remove "The state board of higher education shall determine whether an institution it"

Page 3, remove line 30

Page 4, line 1, remove "b."

Page 4, line 15, replace "c." with "b."

Page 5, line 21, remove "and the state board of higher education"

Page 6, remove lines 24 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 6

Page 12, line 10, remove "1."

Page 12, line 11, replace "and shall obtain parental" with an underscored period

Page 12, remove lines 12 through 30

Page 13, remove lines 1 through 14

Re-number accordingly

23.1011.03002

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1526

Introduced by

Representatives Dyk, Hoverson, Prichard, Rios, Timmons

Senator Beard

1 A BILL for an Act to create and enact a new section to chapter 14-02.4, a new section to chapter
2 15.1-07, and ~~three~~two new sections to chapter 15.1-21 of the North Dakota Century Code,
3 relating to school discrimination, parental rights and involvement in school, curbing of social
4 emotional learning, ~~required curriculum~~, and the review and recommendation of instructional
5 materials; to amend and reenact subsection 6 of section 14-02.4-02 and section 15.1-21-24 of
6 the North Dakota Century Code, relating to the definition of a discriminatory practice and
7 reproductive health education requirements; and to provide a penalty.

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

9 **SECTION 1. AMENDMENT.** Subsection 6 of section 14-02.4-02 of the North Dakota
10 Century Code is amended and reenacted as follows:

- 11 6. "Discriminatory practice" means ~~an~~:
 - 12 a. An act or attempted act which because of race, color, religion, sex, national
 - 13 origin, age, physical or mental disability, status with regard to marriage or public
 - 14 assistance, or participation in lawful activity off the employer's premises during
 - 15 nonworking hours which is not in direct conflict with the essential
 - 16 business-related interests of the employer results in the unequal treatment or
 - 17 separation or segregation of any persons, or denies, prevents, limits, or
 - 18 otherwise adversely affects, or if accomplished would deny, prevent, limit, or
 - 19 otherwise adversely affect, the benefit of enjoyment by any person of
 - 20 employment, labor union membership, public accommodations, public services,
 - 21 or credit transactions. The term "discriminate" includes segregate or separate
 - 22 and for purposes of discrimination based on sex, it includes sexual harassment.
 - 23 Sexual harassment includes unwelcome sexual advances, requests for sexual

1 favors, sexually motivated physical conduct or other verbal or physical conduct or
2 communication of a sexual nature when:

- 3 a. (1) Submission to that conduct or communication is made a term or condition,
4 either explicitly or implicitly, of obtaining employment, public
5 accommodations or public services, or education;
- 6 b. (2) Submission to or rejection of that conduct or communication by an individual
7 is used as a factor in decisions affecting that individual's employment, public
8 accommodations or public services, education, or housing; or
- 9 c. (3) That conduct or communication has the purpose or effect of substantially
10 interfering with an individual's employment, public accommodations, public
11 services, or educational environment; and in the case of employment, the
12 employer is responsible for its acts and those of its supervisory employees if
13 it knows or should know of the existence of the harassment and fails to take
14 timely and appropriate action.

15 b. A violation of section 2 of this Act.

16 **SECTION 2.** A new section to chapter 14-02.4 of the North Dakota Century Code is
17 created and enacted as follows:

18 **Discriminatory practices - State education system.**

19 1. As used in this section:

- 20 a. "Bodily contact sports" means sports including wrestling, boxing, rugby,
21 ice hockey, football, and basketball, in which the purpose or major activity
22 involves bodily contact.
- 23 b. "Sex" means the biological state of being female or male, based on the
24 individual's nonambiguous sex organs, chromosomes, and endogenous hormone
25 profiles at birth and acknowledged accordingly on the individual's original birth
26 certificate.
- 27 ~~c. "State education system" means a school district under the purview of the~~
28 ~~superintendent of public instruction, including a student or employee of the~~
29 ~~school district, and an institution of higher education under the control of the state~~
30 ~~board of higher education, including a student or employee of the institution.~~

- 1 2. An individual may not be excluded from participation in, be denied the benefits of, or
2 be subjected to discrimination as an employment condition or practice conducted by a
3 state education system institution that receives or benefits from federal or state
4 financial assistance school district.
- 5 3. Admission to a class may not be based on race, color, national origin, sex, disability,
6 religion, or marital status.
- 7 4. A class must be available to a student regardless of race, color, national origin, sex,
8 disability, religion, or marital status. This subsection may not be interpreted as
9 prohibiting meeting the needs of a student with limited proficiency in English, a gifted
10 student, or a student with disabilities or a program tailored to a student with a
11 specialized talent or skill.
- 12 5. A student may be separated by sex for any portion of a class that deals with human
13 reproduction.
- 14 6. Guidance services, counseling services, and financial assistance services in the state
15 education system must be available to a student regardless of race, color, national
16 origin, sex, disability, religion, or marital status.
- 17 7. ~~The state education system~~A school district may operate or sponsor separate teams
18 for members of each sex if the selection for such teams is based upon competitive skill
19 or the activity involved is a bodily contact sport.
- 20 8. This section does not prohibit grouping students in a physical education class or
21 activity by ability assessed by objective standards of individual performance developed
22 and applied regardless of sex. However, when use of a single standard of measuring
23 skill or progress in a physical education class has an adverse effect on an individual of
24 one sex, the educational institution shall use appropriate standards which do not have
25 that effect.
- 26 9. ~~A state education system institutions~~school district that operates or sponsors
27 interscholastic, intercollegiate, club, or intramural athletics shall provide equal athletic
28 opportunity for an individual regardless of sex.
 - 29 a. ~~The state board of higher education shall determine whether an institution it~~
30 administers provides equal opportunities.

1 ~~b.~~ The superintendent of public instruction shall determine whether school districts
2 provide equal opportunities. Factors to consider in making this determination
3 include:

- 4 (1) Whether the selection of sports and competition levels effectively
5 accommodate the interests and abilities of an individual regardless of sex;
6 (2) Access to equipment and supplies;
7 (3) Scheduling of games and practice times;
8 (4) Travel and per diem allowance;
9 (5) An opportunity for an individual to receive coaching and academic tutoring;
10 (6) Assignment and compensation of coaches and tutors;
11 (7) Access to locker rooms and practice or competitive facilities;
12 (8) Access to medical or training facilities and services;
13 (9) Provision of housing or dining facilities and services; and
14 (10) Publicity.

15 e.b. An unequal aggregate expenditure for individuals of one sex or for single-gender
16 teams in a state education system sponsoring separate teams, does not
17 constitute a violation of this subsection, but the superintendent of public
18 instruction and the state board of higher education shall consider the failure to
19 provide necessary funds for a single-gender team in assessing equality of
20 opportunity for individuals of each sex.

21 10. Subjecting a student or employee to training or instruction that espouses, promotes,
22 advances, inculcates, or compels such student or employee to believe any of the
23 following concepts is a discriminatory practice:

24 a. An individual of one race, color, sex, or national origin:

- 25 (1) Is morally superior to an individual of another race, color, sex, or national
26 origin.
27 (2) Is required to treat another individual differently based on race, color, sex, or
28 national origin.

29 b. An individual, by virtue of the individual's race, color, sex, or national origin:

- 30 (1) Is inherently marginalized, supremacist, racist, sexist, or oppressive,
31 whether consciously or unconsciously.

- 1 (2) Bears responsibility for, or should be discriminated against or receive
2 adverse treatment because of, an action committed in the past by an
3 individual of the same race, color, sex, or national origin.
- 4 (3) Should be discriminated against or receive adverse treatment to achieve
5 diversity, equity, or inclusion or should be the benefactor of wealth
6 redistribution in order to achieve equality.
- 7 (4) Bears personal responsibility for and must feel guilt, anguish, or other forms
8 of psychological distress because of an action, in which the individual
9 played no part, committed in the past by an individual of the same race,
10 color, sex, or national origin.
- 11 c. An individual's moral character or status as either privileged or oppressed is
12 necessarily determined by the individual's race, color, sex, or national origin.
- 13 d. A virtue, including merit, excellence, hard work, fairness, neutrality, objectivity,
14 and racial colorblindness, is racist or sexist, was created by an individual of a
15 particular race, color, sex, or national origin to oppress an individual of another
16 race, color, sex, or national origin, or that wealth redistribution would improve the
17 United States.
- 18 11. This section may not be construed to prohibit discussion of a concept listed in
19 subsection 10 as part of a course of training or instruction, provided the training or
20 instruction is given in an objective manner without endorsement of the concept.
- 21 12. The superintendent of public instruction ~~and the state board of higher education~~ shall
22 develop and implement a method or strategy to increase the participation of a student
23 of a particular race, color, national origin, sex, disability, or marital status in a program
24 or course in which students of that particular race, color, national origin, sex, disability,
25 or marital status have been traditionally underrepresented, including mathematics,
26 science, computer technology, electronics, communications technology, engineering,
27 and career education. The superintendent of public instruction shall study the
28 effectiveness of the method or strategy, including performing followup monitoring.

29 **SECTION 3.** A new section to chapter 15.1-07 of the North Dakota Century Code is created
30 and enacted as follows:

1 **Academic progress - Information for parents.**

2 A school district shall provide a parent of a public school student with accurate and timely
3 information regarding the student's academic progress and strategies for a parent to help a
4 parent's student succeed in school.

5 **SECTION 4. AMENDMENT.** Section 15.1-21-24 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-21-24. Health curriculum - Content.**

- 8 1. Beginning July 1, 2012, each school district and nonpublic school shall ensure that the
9 portion of its health curriculum which is related to sexual health includes instruction
10 pertaining to the risks associated with adolescent sexual activity and the social,
11 psychological, and physical health gains to be realized by abstaining from sexual
12 activity before and outside of marriage.
- 13 2. Instructional materials used to teach reproductive health or any disease, including
14 human immunodeficiency virus infection and acquired immunodeficiency syndrome, its
15 symptoms, development, and treatment, must be approved annually by the board of a
16 school district in an open public meeting.
- 17 3. A public school student must be exempted from the teaching of reproductive health or
18 any disease, including human immunodeficiency virus infection and acquired
19 immunodeficiency syndrome, if the student's parent makes a written request to the
20 school principal. A school district shall provide notice of this right and the process to
21 request an exemption on a school district's website homepage. A school district
22 homepage must include a link for a student's parent to access and review the
23 instructional materials used to teach the curriculum.

24 ~~SECTION 5. A new section to chapter 15.1-21 of the North Dakota Century Code is created~~
25 ~~and enacted as follows:~~

26 ~~**Required instruction - Noncompliance - State aid withholding.**~~

- 27 ~~1. A member of the instructional staff of a public school subject to the rules of the~~
28 ~~superintendent of public instruction and board of a school district, shall efficiently and~~
29 ~~faithfully teach the following, using the required books and materials meeting the~~
30 ~~highest standards for professionalism and historical accuracy, following the prescribed~~
31 ~~courses of study, and employing approved methods of instruction:~~

- 1 ~~a. The history and content of the Declaration of Independence, including national~~
2 ~~sovereignty, natural law, self-evident truth, equality of all persons, limited~~
3 ~~government, popular sovereignty, and the inalienable rights of life, liberty, and~~
4 ~~property, and how they form the philosophical foundation of our government.~~
- 5 ~~b. The history, meaning, significance, and effect of the Constitution of the United~~
6 ~~States and amendments thereto, with emphasis on each of the ten amendments~~
7 ~~that make up the Bill of Rights and how the Constitution provides the structure of~~
8 ~~our government.~~
- 9 ~~c. Arguments in support of adopting our republican form of government, as~~
10 ~~embodied in the Federalist Papers.~~
- 11 ~~d. Flag education, including proper flag display and flag salute.~~
- 12 ~~e. Elements of civil government, including the primary functions of and~~
13 ~~interrelationships between the federal government, the state, and its counties,~~
14 ~~municipalities, school districts, and special districts.~~
- 15 ~~f. The history of the United States, including the period of discovery, early colonies,~~
16 ~~the War for Independence, the Civil War, the expansion of the United States to its~~
17 ~~present boundaries, the world wars, and the civil rights movement to the present.~~
18 ~~American history must be viewed as factual, not as constructed, must be viewed~~
19 ~~as knowable, teachable, and testable, and must be defined as the creation of a~~
20 ~~new nation based largely on the universal principles stated in the Declaration of~~
21 ~~Independence.~~
- 22 ~~g. The history of the Holocaust from 1933 to 1945, the systematic, planned~~
23 ~~annihilation of European Jews and other groups by Nazi Germany, a watershed~~
24 ~~event in the history of humanity, to be taught in a manner that leads to an~~
25 ~~investigation of human behavior, an understanding of the ramifications of~~
26 ~~prejudice, racism, and stereotyping, and an examination of what it means to be a~~
27 ~~responsible and respectful individual, for the purposes of encouraging tolerance~~
28 ~~of diversity in a pluralistic society and for nurturing and protecting democratic~~
29 ~~values and institutions, including the policy, definition, and historical and current~~
30 ~~examples of antisemitism, and the prevention of antisemitism. Each school~~
31 ~~district shall certify annually and provide evidence to the superintendent of public~~

1 ~~instruction, in a manner prescribed by the superintendent, that the requirements~~
2 ~~of this subdivision are met. The superintendent shall prepare and offer standards~~
3 ~~and curriculum for the instruction required by this subdivision and may seek input~~
4 ~~from a state or nationally recognized Holocaust educational organization. The~~
5 ~~superintendent may contract with a state or nationally recognized Holocaust~~
6 ~~educational organization to develop training for instructional personnel and~~
7 ~~grade-appropriate classroom resources to support the developed curriculum. The~~
8 ~~second week in November is designated "Holocaust Education Week" in this~~
9 ~~state in recognition that November is the anniversary of Kristallnacht, widely~~
10 ~~recognized as a precipitating event that led to the Holocaust.~~
11 ~~h. The history of African Americans, including the history of African peoples before~~
12 ~~the political conflicts that led to the development of slavery, the passage to~~
13 ~~America, the enslavement experience, abolition, and the history and contributions~~
14 ~~of Americans of the African diaspora to society. A public school student shall~~
15 ~~develop an understanding of the ramifications of prejudice, racism, and~~
16 ~~stereotyping, and of individual freedoms, and examine what it means to be a~~
17 ~~responsible and respectful individual, to encourage tolerance of diversity in a~~
18 ~~pluralistic society, and to nurture and protect democratic values and institutions.~~
19 ~~Instruction must include the roles and contributions of individuals from all walks of~~
20 ~~life and their endeavors to learn and thrive throughout history as artists,~~
21 ~~scientists, educators, businesspeople, influential thinkers, members of the faith~~
22 ~~community, and political and governmental leaders, and the courageous steps~~
23 ~~they took to fulfill the promise of democracy and unite the nation. Instructional~~
24 ~~materials must include the vital contributions of African Americans to build and~~
25 ~~strengthen American society and celebrate the inspirational stories of African~~
26 ~~Americans who prospered, even in the most difficult circumstances. Instructional~~
27 ~~personnel may facilitate discussions and use curricula to address, in an~~
28 ~~age-appropriate manner, how slavery, racial oppression, racial segregation, and~~
29 ~~racial discrimination infringed on individual freedoms, as well as topics relating to~~
30 ~~the enactment and enforcement of laws resulting in racial oppression, racial~~
31 ~~segregation, and racial discrimination and how recognition of individual freedoms~~

- 1 ~~overturned unjust laws. Classroom instruction and curriculum may not be used to~~
2 ~~indoctrinate or persuade students to take a particular viewpoint inconsistent with~~
3 ~~the principles enumerated in subsection 2 or the state content standards. The~~
4 ~~superintendent of public instruction shall prepare and offer standards and~~
5 ~~curriculum for the instruction required by this subdivision:~~
- 6 ~~i. Elementary principles of agriculture.~~
7 ~~j. Effects of all alcoholic and intoxicating liquors and beverages and narcotics on~~
8 ~~the human body and mind.~~
9 ~~k. Kindness to animals.~~
10 ~~l. State history of North Dakota.~~
11 ~~m. Natural resource conservation.~~
12 ~~n. Comprehensive age-appropriate and developmentally appropriate instruction:~~
13 ~~(1) On health education addressing concepts of community health, consumer-~~
14 ~~health, environmental health, and family life, including:~~
15 ~~(a) Injury prevention and safety;~~
16 ~~(b) Internet safety;~~
17 ~~(c) Nutrition;~~
18 ~~(d) Personal health;~~
19 ~~(e) Prevention and control of disease;~~
20 ~~(f) Substance use and abuse; and~~
21 ~~(g) Prevention of child sexual abuse, exploitation, and human trafficking;~~
22 ~~(2) For students in grades seven through twelve, on teen dating violence and~~
23 ~~abuse. This component shall include the definition of dating violence and~~
24 ~~abuse, the warning signs of dating violence and abusive behavior, the~~
25 ~~characteristics of healthy relationships, measures to prevent and stop dating~~
26 ~~violence and abuse, and community resources available to a victim of dating~~
27 ~~violence and abuse.~~
28 ~~(3) For students in grades six through twelve, on the benefits of sexual~~
29 ~~abstinence as the expected standard and the consequences of teenage~~
30 ~~pregnancy.~~

- 1 ~~(4) On life skills that build confidence, support mental and emotional health, and~~
2 ~~enable students to overcome challenges, including:~~
- 3 ~~(a) Self-awareness and self-management;~~
4 ~~(b) Responsible decisionmaking;~~
5 ~~(c) Resiliency;~~
6 ~~(d) Relationship skills and conflict resolution;~~
7 ~~(e) Understanding and respecting other viewpoints and backgrounds; and~~
8 ~~(f) For students in grades nine through twelve:~~
- 9 ~~[1] Developing leadership skills, interpersonal skills, organization-~~
10 ~~skills, and research skills;~~
- 11 ~~[2] Creating a resume, including a digital resume, developing and~~
12 ~~practicing the skills necessary for employment interviews,~~
13 ~~workplace ethics, and workplace law;~~
- 14 ~~[3] Exploring career pathways and using state career planning~~
15 ~~resources; and~~
- 16 ~~[4] Managing stress and expectations, and self-motivation.~~
- 17 ~~o. Curriculum as prescribed by law, the superintendent of public instruction, or a~~
18 ~~board of a school district.~~
- 19 ~~p. Hispanic contributions to the United States.~~
20 ~~q. Women's contributions to the United States.~~
21 ~~r. The nature and importance of free enterprise to the United States economy.~~
22 ~~s. Civic and character education on the qualities and responsibilities of patriotism-~~
23 ~~and citizenship, including:~~
- 24 ~~(1) Kindness, honesty, cooperation, and charity;~~
25 ~~(2) Respect for authority, life, liberty, and personal property;~~
26 ~~(3) Racial, ethnic, and religious tolerance; and~~
27 ~~(4) For grades eleven and twelve, voting using a ballot.~~
- 28 ~~t. To encourage patriotism, the sacrifices that veterans and medal of honor~~
29 ~~recipients have made in serving our country and protecting democratic values~~
30 ~~worldwide. This instruction must occur on or before Vietnam veterans' day,~~
31 ~~patriots' day, memorial day, and veterans' day. An instructional staff member may~~

- 1 ~~use the assistance of local veterans and medal of honor recipients when~~
2 ~~practicable. The superintendent of public instruction may adopt standards and~~
3 ~~pursue assessment of the requirements of this subdivision.~~
- 4 ~~2. Instructional personnel may facilitate discussions and use curricula to address, in an~~
5 ~~age-appropriate manner, how the freedoms of individuals have been infringed by~~
6 ~~sexism, slavery, racial oppression, racial segregation, and racial discrimination,~~
7 ~~including topics relating to the enactment and enforcement of laws resulting in sexism,~~
8 ~~racial oppression, racial segregation, and racial discrimination, including how~~
9 ~~recognition of these freedoms have overturned unjust laws. Classroom instruction and~~
10 ~~curriculum may not be used to indoctrinate or persuade a student to take a particular~~
11 ~~viewpoint inconsistent with the principles of this subsection or state content standards.~~
12 ~~Instruction and supporting materials on a topic enumerated in this section must be~~
13 ~~consistent with the following principles of individual freedom:~~
- 14 ~~a. An individual is not inherently racist, sexist, or oppressive, whether consciously or~~
15 ~~unconsciously, solely by virtue of his or her race or sex.~~
- 16 ~~b. A race is not inherently superior to another race.~~
- 17 ~~c. An individual should not be discriminated against or receive adverse treatment on~~
18 ~~the basis of race, color, national origin, religion, disability, or sex.~~
- 19 ~~d. Meritocracy or traits including a strong work ethic are not racist but fundamental~~
20 ~~to the right to pursue happiness and be rewarded for industry.~~
- 21 ~~e. An individual, by virtue of an individual's race or sex, does not bear responsibility~~
22 ~~for actions committed in the past by others of the same race or sex.~~
- 23 ~~f. An individual should not feel guilt, anguish, or other forms of psychological~~
24 ~~distress for actions, in which an individual played no part, committed in the past~~
25 ~~by other members of the same race or sex.~~
- 26 ~~3. The superintendent of public instruction shall develop or adopt a curriculum to inspire~~
27 ~~future generations through motivating stories of American history that demonstrate the~~
28 ~~life skills and principle of individual freedom that enabled individuals to prosper even in~~
29 ~~the most difficult circumstances. This curriculum must be known as "Stories of~~
30 ~~Inspiration" and must be made available to schools to implement the requirements of~~
31 ~~subsection 2.~~

1 ~~4. An alleged violation of this section must be reported to the instructional materials~~
2 ~~reviewer in accordance with section 6 of this Act. After an investigation conducted~~
3 ~~under section 6 of this Act, the superintendent of public instruction shall withhold state~~
4 ~~aid payments under chapter 15.1-27 or impose a penalty recommended by the~~
5 ~~instructional materials reviewer for a school district found to have violated the~~
6 ~~requirement of this section.~~

7 **SECTION 5.** A new section to chapter 15.1-21 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Evaluation of instructional materials.**

10 ~~1. The board of a school district is responsible for the content of instructional materials~~
11 ~~used in a classroom or otherwise made available to a student and shall obtain parental~~
12 ~~approval for all instructional materials. The board of a school district shall adopt rules and each~~
13 ~~school district superintendent shall implement procedures that provide a process for:~~
14 ~~a. Public review of, public comment on, and the adoption of instructional materials,~~
15 ~~including instructional materials used to teach reproductive health or any disease,~~
16 ~~including human immunodeficiency virus infection and acquired~~
17 ~~immunodeficiency syndrome, in compliance with section 4 of this Act; and~~
18 ~~b. Reporting a violation of section 5 of this Act.~~
19 ~~2. The instructional materials reviewer shall:~~
20 ~~a. Recommend for adoption only:~~
21 ~~(1) Instructional materials aligned with the state content standards;~~
22 ~~(2) Accurate, objective, balanced, noninflammatory, current instructional~~
23 ~~materials;~~
24 ~~(3) Instructional materials free of pornography; and~~
25 ~~(4) Instructional materials suited to student needs and ability to comprehend the~~
26 ~~material presented;~~
27 ~~b. Consider for recommendation for adoption instructional materials developed for~~
28 ~~academically talented students, including students enrolled in advanced~~
29 ~~placement courses;~~

- 1 ~~c. Require, when appropriate for student comprehension, instructional materials for~~
2 ~~a social science, history, or civics class to include the Declaration of~~
3 ~~Independence and the Constitution of the United States; and~~
4 ~~d. Refrain from recommending instructional materials unfairly portraying an~~
5 ~~individual because of race, color, creed, national origin, ancestry, gender, religion,~~
6 ~~disability, socioeconomic status, or occupation or otherwise contradicting the~~
7 ~~principles enumerated under sections 4 and 5 of this Act.~~
8 ~~e. Upon receiving a report of an alleged violation of section 5 of this Act, conduct an~~
9 ~~investigation and determine whether a violation occurred;~~
10 ~~f. Upon determining a violation of section 5 of this Act has occurred, make a~~
11 ~~recommendation to the superintendent of public instruction to impose a penalty~~
12 ~~on the school district that violated the requirements of section 5 of this Act.~~
13 ~~3. The board of a school district shall adopt rules and each school district superintendent~~
14 ~~shall implement procedures to acquire parental consent for all instructional materials.~~

15 **SECTION 6.** A new section to chapter 15.1-21 of the North Dakota Century Code is created
16 and enacted as follows:

17 **Curriculum - Social emotional learning - Prohibited.**

- 18 1. A teacher may not:
19 a. Address the emotional problems of a student but shall refer a student with
20 emotional problems to the appropriate counseling services provided by the
21 school;
22 b. Inform a student's worldview based on emotions;
23 c. Measure the mental health of a student, including administering ongoing
24 evaluations or surveys;
25 d. Influence a student to adopt religious views different from a student's parent's
26 religious views;
27 e. Teach a student that the student's inner feelings are capable of guiding the
28 student's life; or
29 f. Turn a student who is seeking help away without directing the student to the
30 proper school counselor, parent, or guardian.
31 2. A teacher may:

Sixty-eighth
Legislative Assembly

- 1 a. Teach transcendent and universal moral truths; and
- 2 b. Teach and encourage a student to seek moral and emotional help from the
- 3 student's family, religious institution, and other civil organizations.