NORTH Dakota | Governor Doug Burgum

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EXECUTIVE ORDER 2020-32

WHEREAS, on March 13, 2020, President Donald Trump issued a declaration of national emergency due to the growing COVID-19 crisis in the United States; and,

WHEREAS, on March 13, a state of emergency was declared in the State of North Dakota through Executive Order 2020-03, in response to the public health crisis resulting from the novel coronavirus (COVID-19); this Order activated the North Dakota State Emergency Operations Plan (SEOP) to assist local and tribal officials, to prevent injuries and save lives, alleviate hardships, implement appropriate response and recovery actions and future mitigation measures, and facilitate restoration of services and infrastructure; and,

WHEREAS, on March 15, 2020, in response to new CDC guidance related to the COVID-19 pandemic, that recommended limiting events and mass gatherings to no more than 50 people, public and non-public K-12 schools were closed to students; and,

WHEREAS, testing sites for college admission, career readiness and career certifying tests were unavailable due to the COVID-19 pandemic, preventing eligible graduating high school students from completing career certification requirements as well as requirements for the North Dakota Career and Technical Education Scholarship and the North Dakota Academic Scholarship;

WHEREAS, many students depend upon the availability of scholarships in making their decision to attend North Dakota colleges and universities; a temporary suspension of certain state requirements for scholarship eligibility, based upon significant changes to the delivery of academic coursework and delayed testing opportunities resulting from the COVID-19 pandemic, is necessary to prevent otherwise qualified and deserving students from fulfilling scholarship requirements.

NOW THEREFORE, Doug Burgum, Governor of North Dakota, by virtue of the authority under Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code Chapter 37-17.1, in consultation with the Superintendent, Department of Public Instruction, and the Chancellor, North Dakota University System, hereby orders:

1. The eligibility requirement for Career and Technical Education (CTE) Scholarships under NDCC § 15.1-21-02.4 (8), requiring high school seniors graduating in May 2020 to achieve a "C" grade or higher for courses in the CTE curriculum will be temporarily suspended for courses completed during the 2020 spring term, provided the student earned credit for the coursework.

2. The eligibility requirement for Academic Scholarships under NDCC § 15.1-21-02.5 (8), requiring students achieve a grade of "C" or higher required coursework is

temporarily suspended for those courses taken during the spring semester 2020, provided the student completed and earned credit for the coursework.

3. No part of this executive order shall prevent the North Dakota Department of Public Instruction (NDDPI) from processing scholarship applications for the 2020 high school graduates who have already met the requirements of NDCC § 15.1-21-02.5. NDDPI will plan to process and approve scholarships during the month of June for students who meet all scholarship requirements.

4. The continuing eligibility requirements for CTE and Academic Scholarships under NDCC § 15.1-21-02.6 (1)(b), requiring scholarship recipients currently enrolled in a North Dakota College or University to make progress toward degree completion and maintain a cumulative grade point average of 2.75 or higher are temporarily suspended. Any currently enrolled CTE or Academic Scholarship recipient who was eligible for the scholarship during the spring, 2020 semester or quarter shall remain eligible through the end of the fall semester or fall quarter, 2020; the suspended eligibility criteria will be reinstated at the end of the fall semester or fall quarter.

5. No part of this executive order shall prevent the North Dakota University System (NDUS) from processing scholarships for Class of 2020 graduates who have been confirmed by NDDPI to have met the requirements of § 15.1-21-02.5. NDUS will process scholarships during the summer of 2020 for students who already meet all scholarship requirements.

6. The qualification deadline for the Scholars Program, under NDCC § 15-62.5-01 (2) requiring high school graduates to achieve an ACT composite score that ranked the student at or above the ninety-fifth percentile, among those who took the ACT before July 1 in the year preceding enrollment in a college or university, is temporarily suspended. Graduating high school seniors who were unable to take the ACT test in April, 2020, may test prior to August 1, 2020. Graduates with a qualifying score will be eligible for consideration under the North Dakota Scholars Program.

7. The continuing eligibility requirement for the Scholars Program under NDCC § 15-62.5-04 (2), requiring scholarship recipients currently enrolled in a North Dakota College or University to maintain a 3.50 cumulative grade-point-average based upon a 4.0 scale is temporarily suspended. Any currently enrolled Scholars Program recipient who was eligible for the scholarship during the spring quarter or semester shall be remain eligible for the 2020-2021 academic year, provided the student does not exceed eight semesters or twelve quarters of full time enrollment and has not obtained a baccalaureate degree.

This Order is issued on the foregoing bases and under the following conditions:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution.
2. The Governor is vested with statutory authority to issue executive orders to minimize or avert the effects of a public health emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code.
3. A coordinated and effective effort of all state departments is required to minimize the impact of disasters and emergencies in this state.

This Order is effective immediately and shall remain in effect for the duration of the emergency declaration unless otherwise specified.

Executed at Bismarck, North Dakota, this 19th day of May, 2020.

Doug Burgum, Governor

ATTEST:

Secretary of State