

**HOUSE BILL NO. 1321**

Introduced by

Representatives Disrud, Hawken, Wentz

Senators Holmberg, Lee, Wanzek

1 A BILL for an Act to amend and reenact section 15-40.1-07.7 of the North Dakota Century Code  
2 or in the alternative to amend and reenact section 15.1-27-12 of the North Dakota Century  
3 Code, relating to the payments for limited English proficient students; and to provide an  
4 appropriation.

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

6 **SECTION 1. AMENDMENT.** If House Bill No. 1045 does not become effective, section  
7 15-40.1-07.7 of the 1999 Supplement to the North Dakota Century Code is amended and  
8 reenacted as follows:

9 **15-40.1-07.7. Per student payments - Limited English proficient students.**

- 10 1. In addition to any other payments provided for by this chapter, each school district  
11 is entitled to receive ~~four~~:
- 12 a. Five hundred dollars for each student who has been assessed by the  
13 student's school district and found to have negligible limited English language  
14 skills, as evidenced by a classification of level I using the Woodcock-Munoz  
15 language survey.
  - 16 b. Four hundred dollars for each student who has been assessed by the  
17 student's school district and ~~determined~~ found to have ~~negligible~~ or very  
18 limited English language skills, as evidenced by a classification of level ~~I or II~~  
19 using the Woodcock-Munoz language survey.
  - 20 c. Three hundred dollars for each student who has been assessed by the  
21 student's school district and found to have limited English language skills, as  
22 evidenced by a classification of level III using the Woodcock-Munoz language  
23 survey.
- 24 2. In order to be eligible for assessment under this section, a student:

- 1           a. Must be at least five years of age but must not have reached the age of
- 2                   twenty-two;
- 3           b. Must be enrolled in a school district in this state;
- 4           c. Must have a primary language other than English; and
- 5           d. Must have difficulty speaking, reading, writing, and understanding English.
- 6        3. In order to be eligible for the payment provided for in this section, a school district
- 7           must provide an approved program of instruction for students who have negligible
- 8           limited English language skills, very limited English language skills, or limited
- 9           English language skills. In order to receive the full payment provided for in this
- 10           section, a school district must complete the student assessment required by
- 11           subsection 1 and forward the results to the superintendent of public instruction on
- 12           or before ~~October twenty-fifth~~ November first of each school year. The
- 13           superintendent shall distribute the payments no later than May thirtieth of each
- 14           school year. The superintendent shall prorate payments under this section for any
- 15           students registering in the school district after ~~October first~~ the start of the school
- 16           year or departing the school district prior to the completion of the school year.

17           **SECTION 2. AMENDMENT.** Section 15.1-27-12 of the North Dakota Century Code as  
18 created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is  
19 amended and reenacted as follows:

20           **15.1-27-12. Per student payments - Limited English proficient students.**

- 21        1. In addition to any other payments provided for by this chapter, each school district
- 22           is entitled to receive ~~four~~:
- 23           a. Five hundred dollars for each student who has been assessed by the
- 24                   student's school district and found to have negligible limited English language
- 25                   skills, as evidenced by a classification of level I using the Woodcock-Munoz
- 26                   language survey;
- 27           b. Four hundred dollars for each student who has been assessed by the
- 28           student's school district and determined to have ~~negligible or~~ very limited
- 29           English language skills, as evidenced by a classification of level ~~I or~~ II using
- 30           the Woodcock-Munoz language survey; and

- 1           c. Three hundred dollars for each student who has been assessed by the  
2           student's school district and determined to have limited English language  
3           skills, as evidenced by a classification of level III using the Woodcock-Munoz  
4           language survey.
- 5           2. In order to be eligible for assessment under this section, a student:
- 6           a. Must be at least five years of age but must not have reached the age of  
7           twenty-two;
- 8           b. Must be enrolled in a school district in this state;
- 9           c. Must have a primary language other than English; and
- 10          d. Must have difficulty speaking, reading, writing, and understanding English.
- 11          3. In order to be eligible for the payment provided for in this section, a school district  
12          must provide an approved program of instruction for students who have negligible  
13          limited English language skills, very limited English language skills, or limited  
14          English language skills. In order to receive the full payment provided for in this  
15          section, a school district must complete the student assessment required by  
16          subsection 1 and forward the results to the superintendent of public instruction on  
17          or before ~~October twenty fifth~~ November first of each school year. The  
18          superintendent shall distribute the payments no later than May thirtieth of each  
19          school year. The superintendent shall prorate payments under this section for any  
20          students registering in the school district after ~~October first~~ the start of the school  
21          year or departing from the school district prior to the completion of the school year.

22           **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the  
23          general fund in the state treasury, not otherwise appropriated, the sum of \$800,000, or so much  
24          of the sum as may be necessary, to the superintendent of public instruction for the purpose of  
25          providing supplemental per student payments for limited English proficient students, for the  
26          biennium beginning July 1, 2001, and ending June 30, 2003.