

January 28, 2025  
HB1494 Testimony to House Education Committee

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Chairman Heinert and members of the House Education Committee, my name is Kerri Whipple, Director of Literacy Services at the South East Education Cooperative. I have been working with English Learner or Multilingual Learner Programs in North Dakota at the district, state, and regional levels since 2004.

I am here today in support of HB 1494.

As you may know, Regional Education Associations were first piloted in 2003 to provide an infrastructure to deliver more adequate educational services to all schools in North Dakota. Now more than ever, we know that all schools require funding and human capital to carry out the legal requirements and services needed for students learning English. One of my roles at SEEC is to help 36 school districts plan for daily English language development services for their English Learner (EL) or Multilingual Learner (ML) students.

Students learning English in our schools are instructed by EL or ML teachers. Schools are required to annually assess the English language proficiency of EL/ML students. This assessment results in a proficiency level between 1-6. Currently, North Dakota students exit the EL/ML program when they reach an English language proficiency Level 5.

The current Average Daily Membership (ADM) formula allows schools to receive a weighted factor of 0.4 for EL Level 1s, 0.28 for Level 2s, and 0.07 for Level 3s for up to three years. There is no current weighted factor for students at Level 4. While this formula acknowledges that lower-proficiency students need more services than higher-level students, it also has the unintended consequence of making it financially difficult for schools to continue to help their students grow past those initial levels. The current formula provides no funding for students at Level 4, but schools are still required to provide EL/ML services for these students.

Although research supports that English language learner students who start at the beginning levels of English proficiency typically need an average of 5-7 years to reach proficiency, we also have some groups of students in North Dakota English language learner programs who take significantly less time. The amount of time needed to reach proficiency varies greatly based on the student's background with language and school, as well as EL/ML programming quality. The North Dakota accountability system sets the expected growth for English language proficiency based on an EL/ML student's first annual language proficiency test score. For example, if a student's first test score is Level 1, they have 6 years before they are expected to achieve the exit criteria. If they begin at Level 3, they have 4 years; if their first score is at Level 5, they have 2 years before they are expected to exit the program. If an EL/ML student started at Level 1 and grew one level each year, we would not be providing funding for all years in the program.

In most cases, EL/ML teachers provide EL/ML services in addition to the courses that all students take from general education teachers. Due to the variance of linguistic and academic needs within any one classroom, student-to-teacher ratios must remain low. Therefore, education costs are higher than average for EL/ML students. The ADM-weighted factor funding supports the general fund expenditures required for schools to meet the requirements to serve ELs/MLs. Further, providing EL/ML services is part of state law (NDCC 15.1-38). Increasing the additional weighted factor will help reduce the financial gap for school district who are required to serve Els at all levels and support increased English proficiency for students. This bill is one way to ease the financial burden for school districts.

HB 1494 will significantly impact the funding for EL/ML programs in public schools. Even funding for all proficiency levels will encourage all schools to provide services to all levels of EL/ML students until these students achieve the level of English proficiency needed for success in general education classrooms.

I ask for your support for HB 1494.

Sincerely,

A handwritten signature in black ink that reads "Kerri Whipple". The signature is written in a cursive style with a large, circular flourish at the end.

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