

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1321

2001 HOUSE EDUCATION

HB 1321

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1321

House Education Committee

☐ Conference Committee

Hearing Date 01/22/01

Tape Number	Side A	Side B	Meter #
#1		X	63 to 3128
#2	X		1 to 2427
Committee Clerk Signature <i>Lisa Gilbertson</i>			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will open the hearing on HB1321.

Rep. Disrud: (District 21) I've been involved with families that have come into our community and have given me an acute realization of their personal stories, and while listening and working with the teachers and students, I've gained a deep respect to those who are working to enhance the quality of life and education of these young students. The ESL program is growing, and all indications are that it will continue to grow throughout the state of ND. We all know that Fargo has been impacted by the ESL program, but we are now looking at several other districts who are now impacted in educating our ESL students. The districts who are now involved will be receiving even more students, plus I really believe that the projections are that additional students

will be entering school districts that are not involved. I really believe that the ND Foundation Aid payment of \$2230 per student will be more efficiently spent on students who can speak and understand and learn the English language. Once they know and understand the language in which they are living, the environment and life, the people they are living with, they can actually learn better, and our foundation aid money will be spent more efficiently. Everybody wins: our teachers will continue to be supported in the important work they are doing. This is truly economic development at its best. We, in ND are talking about our future work force, and how critical it is to our economy to fill the need for workers. Our ESL students and their families have come out of an environment that most of us would cringe at the thought of having lived in. They appreciate the opportunity to work, and through our ESL program, they are more empowered to do so in a quality way.

Chairman Kelsch: There's \$450,000 that's been appropriated by Governor Hoeven's budget, and then what this would do is this would add an additional \$350,000? Is that correct?

Rep. Disrud: Yes.

Mari Rasmussen: (Assistant Director of Bilingual Education for DPI) *Please refer to attached testimony*

Rep. Hunsaker: Did you allude to the increasing number of students that are in need of this program. Do you have some figures on that?

Rasmussen: Approximately 10% is what we figured, since 1997, and it was hard to do accurate projection, we could expect to increase by 10%.

Rep. Grumbo: Has there been a follow-up study been done with the students that are in ESL and as they progress through the system? Have they followed in post school?

Rasmussen: Right now we just have qualitative data. I'd like to do some investigation further to get more concrete data about how this program has been affected students. Roughly, yes, there are a number that have gone on to higher education.

Bey Nielson: (School Board's Association) I'm in support of this. Our association has recognized the importance of support for weighting factors for the size of schools, support for schools with declining enrollment, support for small but necessary schools, and support for special education students, and we see the ESL as a very special circumstance which is similar to the ones I have just mentioned, and for that reason, we do support continuing to fund, not only have the numbers gone up at 10% a year, but our costs go up, and in supporting an additional level, I would just like to say that in working in a system that has tried very hard to get children with no English and even children who are sometimes illiterate in their own language, that it's crucial that we not only be able to teach them the language in emersion, but also to get to the level where these people can learn, assimilate, think in English, in order for them to master the textbooks at high schools and essay questions writing and so forth.

Dan Huffman: (Fargo schools) *Please refer to attached testimony*

Rep. Brusegaard: Does the Fargo school district receive any support, financial or man hours from private foundations or private agencies in helping acclimate these children?

Huffman: One time in the last 16 years, we did receive about \$2500 from Lutheran Social Services to help with transportation of an adult population to our adult education center so that the parents of these children could learn some language skills also. Beyond that, the answer to your question is no.

Page 4

House Education Committee

Bill/Resolution Number HB1321

Hearing Date 01/22/01

Rep. Hanson: Does Moorhead and Dilworth receive any MN state funding for those types of students?

Huffman: I'm not familiar with, specifically with the state of MN funding, other than to tell you that they get more than we do. There is a fairly sophisticated reimbursement system through the Department of Children and Families in the state of MN.

Rep. Mueller: You referred to 654 students in the Fargo system who are involved with the program. On the paper that Ms. Rassmussen handed out, we're talking about 540 kids in the whole state, so I guess for me, it would be somewhat important to know how many students we're talking about here across the state.

Huffman: I can't speak specifically to other school districts. In Fargo, we have 654 children who have met level 1-5, which means they have varying level of education English language deficiencies. Of those, 362 of the 654 are in levels 1 and 2, and the numbers that you see before you are only those children who have tested in level 1 and 2, because those are the only children at the time who are eligible for the state reimbursement. There still are three other categories of students that we're serving, but we just don't get any funding for it.

Rep. Mueller: If there ever was a program, it would seem to me to qualify, or should have a federal involvement here. This one seems to be it. Are there no federal programs to assist with this effort?

Huffman: Yes, the Fargo school districts does receive some federal funds also. At the present time, we're receiving about \$280,000 in federal funds. \$78,000 of that, however, is money that has to be used to provide before and after school activity programs for these children, so

approximately \$200,000 of the money is used for during the day kinds of programs. The fluctuations of the federal funds, also have been very dramatic over the years.

Rep. Nottestad: Going back to your statement about sponsored organizations and the help they have had. Do these organizations have an X number of dollars attached to each child or family for assimilating them into the culture we have here in ND and the USA?

Huffman: My understanding is the placing agencies do, in fact, receive their federal assistance based on the number of individuals that are placed. Those dollars, however, are to cover the costs that they incur in bringing the children here. Once the family is in a community, it is the responsibility of the school district, the county and the social service agencies to provide all of the assistance necessary to acclimate them to the community. There is no support to the agencies providing the services.

Rep. Nottestad: So, in essence, these people are brought here, and they become the responsibility of that community totally. It just doesn't seem right.

Huffman: That is a fair assessment of what happens.

Rep. Nelson: In regard to the federal funds that you receive in Fargo, are you aware of the other districts in the state, do they receive them as well? Or is that something you have to apply for through a grant process?

Huffman: It is a grant process, I think that Mari would be in a better position to answer that question. There is a grant application process that you go through, as school districts, to receive the federal dollars.

Rep. Nelson: As I do the math, that round figures in another \$300 per student that would be available to your district through federal funding, if you.. You said the total cost, you estimate is \$1300 per student on the average?

Huffman: For the 654 students, not the 362.

Rep. Hunsaker: Would you walk us through what happens to a level one or a level two student? How much contact throughout the day with the special teachers you have that would be helping that student? And is that done in the classroom?

Huffman: It's a combination, when a child shows up in our school district, the first thing we do is go through a process of assessing their level of proficiency. Depending on that level of proficiency, each of these children, when they show up, has an individual assessment process that we go through, and what I'm going to talk about as being typical, if there is such a thing, a portion of their day being spent in a regular classroom, so they begin to become acclimated to the social environment of a school in ND, but in addition to that, there is individual tutoring, there are small group session, with pupil to teacher ratios to five or six or seven to one, and as the language proficiency improves, more time is spent in regular classrooms, and less time is spent with the tutors and the English language instructors.

Rep. Solberg: You mentioned there are as high as 60 different dialects, so, how many additional staff does this involve?

Huffman: I can't give you specific numbers of additional staff. The other thing we rely on quite heavily are the parents of the other families who may have proceeded the location of that family in our community to provide us with assistance in interpreting for us. One of the real issues for us is finding somebody who speaks the dialect of their language so we can even sit down and

have a conversation that determines the need, age of the children, and what kind of services are actually going to be provided. Most of these children come to us without birth certificates, no history, and often times we have programs for the programs to acclimate them to our language, that allow them to be more English proficient, at a fast rate than their parents, which also creates some interesting problems for us.

Rep. Hawken: As I recall, with the federal grant, there's also a time frame on those. Has that changed?

Huffman: Typically the grants run in three year cycles. After you've received the grant for three years, you have to get back into the mix of things for the next cycle again.

Rep. Haas: So, in that two year grant period, are you getting \$280,000 per year?

Huffman: Yes. For us, it's divided into two parts, so each of them have a level of uncertainty, and they're not both on the same three year cycle, but at the present time, we're getting \$280,000 for this year.

Carrie Kasowski: (Grand Forks ESL teacher) *Please refer to attached testimony*

Rep. Mueller: Do most of the ESL have social problems?

Kasowski: It's starting to become more true than it was before. I've been teaching for almost 20 years, and at the beginning we had the Vietnamese population, which was mostly minors coming in, unaccompanied minors, and they were taken in by foster families, and so the foster family really helped in making sure their education and social skills were brought up to snuff. Now we're seeing whole families come in, which is not a bad thing, it's a good thing, but we are finding that we have to reeducate the whole family in social skills, and a lot of these kids coming in now, have had very little education, and they tell me in their schools there's a lot of fighting

and there's not much discipline, and it's just kind of a free for all, and that's the reality of what they're coming in with, but I do see, with help, they come along so far, and that's just with some care and some real specialized help.

Rep. Nottestad: Would a young man like Driton, problems that he created for you and with you and through you to begin with. Was there ever a meeting back and forth with a sponsoring organization, so they could have given you aid if they had chosen to do so?

Kasowski: Usually when they come over, I have to stick up for the representatives on new americans into Grand Forks, and they don't always get much more information than we do on the students, but when they come in, we do work as a group. We also have a great system in Grand Forks with counselors and social workers. We do not have the numbers that Fargo has yet, so when Dan was talking about how they deal with these ESL students, we don't have that capability yet, but it's getting there. It's getting so that we're not able to make it some days, but it is a united effort.

Rep. Hunsakor: In your professional opinion, the students that are receiving this help. what percentage of those do we lose to the streets, to crime, and if they were not receiving their help, in your opinion, would we lose to that?

Kasowski: You know, I'm not good with percentages, but my opinion is if Driton never had any help, he would be.... He seemed to have no conscience, because he's seen so much, and a lot of kids that I've seen... Especially when they come in when they're 17 years old and have very little background in education in their country, and they come in very racially discriminative, and we have to have long talks about that, when they're able to talk, and if we would not be giving help to them, I would consider all those students that we didn't help, would go on to crime.

Rep. Hunsakor: The students that you're working with now, they're in the full ESL program, could you give a percentage, in your school of kids that are moving on, they're successful?

Kasowski: See, I am the ESL teacher, so I go to the schools, so I don't have a school.

Rep. Hunsakor: What percent of kids that are in your program, make it?

Kasowski: In our program, I would say, I can't think of too many people who haven't made it. Drop out rate is 100%. We have not had a drop out in Grand Forks, in all the years that I have taught.

Mirka Visnjic: *Please refer to attached testimony*

Theresa Delorme: (Director for ESL programs in Bismarck) I'd like to share with you the day to day occurrences, what happens with a lot of our ESL families when they arrive. I always ask Mirka to begin in her language, just to give you a sense of how it feels to be listening to a language that you don't understand. I come from a two language background, and a lot of times I use that greeting. I think about our ESL families, our refugee families, who come to us. What happens when a family arrive? First of all, people from the Bismarck Public Schools note, usually, our ESL resource teacher, and sometimes Mari Rassmussen, our state person, who used to be the ESL teacher for Bismarck Public Schools. They are called upon, sometimes in the early morning hours or after school, and they have to go into the homes, and first they have to find an interpreter for the family, because we are lucky enough to have a few people in the community who are able to come in and serve as interpreters, so then we start that very difficult process of finding the school, finding out where the family is going to be living, and a lot of times that can change within a month, because it a large community, and transportation is a very serious problem for these families. If they live several blocks away from school, this is their first

experience with the community. They live in fear that something is going to happen to their children on the way or the way from school; they walk their children to school, they pick them up and bring them home, sometimes they don't send them right away, because they are afraid something will happen to them. They come to school, they get to the main office, and they're looking at someone who doesn't speak their language. We struggle trying to figure how to communicate if we don't have an interpreter handy. Sometimes they call, they finally realize that they have to call if their child is going to be home sick, so they call, and the secretary doesn't understand. Finally, we get to the point where the children can speak enough English to be able to make the phone call that they're sick, or they get to the classroom, and they're able to speak enough, just to get their minimum needs met. Our ESL can provide a half an hour, instructional support in form of tutorial services, per student, and those are level 1 and 2. As they move from building to building. We don't have an emersion program, we have what we call an inclusion program. When they get here, they're immediately placed into a classroom. Fortunately, we're able to concentrate most of our ESL students at the high school level, at Century high school, so that they can all be together and work together. We do have problems with a lot of our older students, because they get frustrated. They realize that they don't have the skills that their American counterparts have, so they struggle with the curriculum and they want to give up, and we have to be counselors, we have to be teachers, we have to be a little bit of everything for them. Earlier this fall, we lost two students anymore, they just didn't want to do it anymore, they didn't want to be in the school system, the struggle was too great for them. It's always hard to find the adequate educational support for these children. Classroom teachers would like more. They would like more than a half an hour a day. Several of our teachers get a lot of the kids,

because they're used to having them now; they enjoy having the ESL students; they look forward to having them, but we still have a lot of teachers who are not trained to work with ESL students, and they're fearful of how they're going to provide for them once they get them in the classroom. They're asking for more hours, and it's difficult to provide them with a limited budget. We do have a combination of funding, for after school and before school programming, we have funding that provides for interpreters, translators and instructional support. We must meet the letter of the law and provide communications to the parents. We have 56 students, we don't provide services for all of them in the Bismarck Public Schools, because we don't have the resources to do that.

Sen. Judy Lee submitted written testimony

Chairman Kelsch: Seeing no more testimony, we'll close the hearing on HB1321.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1321 B

House Education Committee

☐ Conference Committee

Hearing Date 1/31/01

Tape Number	Side A	Side B	Meter #
3	X		2026-3350
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes:

REP. R. KELSCH called the committee to order, with all members present except REP. SOLBERG.

ACTION:

REP. BRUSEGAARD motions to amend HB 1321, seconded by REP. BELLEW

REP. BRUSEGAARD states to the committee that this simply brings this in line with the Governor's budget. REP. HAWKEN comments that she needs to point out that this money will not even begin to cover what was done this year. Because the money that we had this year was \$400,000.00 and didn't cover it. So there is no way we can serve the children we have now, and not accounting for any new ones. I feel that this is one instance that we are not being very visionary, but I don't want the bill to die either. It is too important. It is no longer just a Fargo problem. REP. THORESON states that sometimes we have to do what we don't want to do, for the good of the cause. But it is a prominent problem.

Page 2
House Education Committee
Bill/Resolution Number HB 1321
Hearing Date 1/31/01

General discussion.

The question is called for the motion at hand. REP. R. KESLCH calls for a voice vote. The majority carries the amendments. The motion carries. REP. BELLEW motions for a DO PASS AS AMENDED, seconded by REP. BRUSEGAARD. Seeing no discussion the clerk takes the roll. The roll call vote was taken with 14 YES, 0 NO and 1 ABSENT AND NOT VOTING. The motion carries. The CARRIER of the bill is REP. HAWKEN.

HB 1321: DO PASS AS AMENDED 14-0

CARRIER: REP. HAWKEN

FISCAL NOTE
 Requested by Legislative Council
 03/30/2001

Bill/Resolution No.:

Amendment to: Reengrossed
 HB 1321

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$652,250	\$0	\$652,250	\$0
Appropriations	\$0	\$0	\$202,250	\$0	\$652,250	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$652,250	\$0	\$0	\$652,250

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill increases the amount of funding school districts would receive for students with limited English proficiency (LEP).

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Payment will be made based on three assessment levels estimated as follows:

Level I at \$425 per student x 770 estimated students = 327,250

Level II at \$325 per student x 550 estimated students = 178,750

Level III at \$225 per student x 650 estimated students = 146,250

Total estimated expenditures = \$652,520 for the biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The Foundation Aid and Transportation line item includes \$450,000 for LEP student payments. Total estimated additional expenditures are \$652,250. Therefore the fiscal impact is \$202,250 (\$652,250 - \$450,000).

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	04/02/2001

FISCAL NOTE
Requested by Legislative Council
02/02/2001

Bill/Resolution No.:

Amendment to: HB 1321

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill addresses the amount of funding school districts would receive for students with Limited English Proficiency.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The bill provides for payment to be made based on three assessment levels estimated as follows:

Level I at \$500 per student x 770 estimated students = 385,000

Level II at \$400 per student x 550 estimated students = 220,000

Level III at \$300 per student x 650 estimated students = 195,000

\$800,000 is estimated to fully fund the bill. However, Section 3 only provides for an appropriation of \$450,000 (which is included in the foundation aid budget). Therefore payments must be reduced on a

proportionate basis to stay within the amount appropriated.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The Foundation Aid and Transportation line item includes \$450,000 for LEP student payments.

Name:	Marl Rasmussen	Agency:	Public Instruction
Phone Number:	328-2958	Date Prepared:	02/06/2001

FISCAL NOTE
Requested by Legislative Council
01/17/2001

Bill/Resolution No.: HB 1321

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$350,000	\$0	\$0	\$0
Appropriations	\$0	\$0	\$350,000	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$350,000	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill increases the amount of funding school districts would receive for students with limited English proficiency (LEP).

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Payment will be made based on three assessment levels estimated as follows:

Level I at \$500 per student x 770 estimated students = 385,000

Level II at \$400 per student x 555 estimated students = 220,000

Level III at \$300 per student x 650 estimated students = 195,000

Total estimated additional expenditures = \$350,000 (800,000 - 450,000 in foundation budget) for the biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The Foundation Aid and Transportation line item includes \$450,000 for LEP student payments. This bill provides for an appropriation of \$800,000. Therefore the fiscal impact is \$350,000.

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	01/19/2001

Date: 1/31/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1321

House House Education Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 10525.0102

Action Taken Do PASS As Amended Rereferred to Approp.

Motion Made By Rep. Bellew Seconded By Rep. Brusegaard

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo	✓	
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson	✓	
Rep. Larry Bellew	✓		Rep. Bob Hunsakor	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg		
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meler	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total (Yes) 14 Click here to type Yes Vote No 0 Click here to type No Vote

Absent 1

Floor Assignment Click here to type Floor Assignment Rep. Hawken

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 1, 2001 2:12 p.m.

Module No: HR-18-2122
Carrier: Hawken
Insert LC: 10525.0102 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1321: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1321 was placed on the Sixth order on the calendar.

Page 2, line 12, replace "November" with "December"

Page 3, line 17, replace "November" with "December"

Page 3, line 23, replace "\$800,000" with "\$450,000"

Renumber accordingly

2001 HOUSE APPROPRIATIONS

HB 1321

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1321

House Appropriations Committee
Education and Environment Division

☐ Conference Committee

Hearing Date February 08, 2001

Tape Number	Side A	Side B	Meter #
1 of 1	Starting at 2250		5,071
Committee Clerk Signature <i>Judy Schack</i>			

Minutes:

Representatives Aarsvold, Boehm, Gulleason, Martinson, Monson, Wald, Wentz.

Kathy Hawkin: Representative of District 46. The amendment changed the amount in the bill from 800,000 back to 450,000, which is the amount in the Governor's budget. That is the only amendment to the bill. Page 3 line 23.

Representative Aarsvold: Does this cover the need?

Kathy Hawkin: We are here to ask you to put the 350,000 back into this bill. The problem is no longer a Fargo problem. There are 17 communities now effected by this. One of the things I am here to ask you to consider if you could find any extra money, or could it possibly come out of Economic Development. This really is not just a language problem. It is an adapting problem. Some of these children come to us never having been in school. This is an area that has potential for our building our state.

Representative Wald: On line 14 of the bill. What is Woodcock-Munoz. Does this give these people a monopoly on English language skills. Is there more than one organization that is in the business of doing this?

Kathy Hawkin: I honestly can't tell you that. That is a standard that is used for judging. It is the name of the test not necessarily the publisher.

Rachael Disrud: Represent Central City of Fargo. I believe this is a cost effective bill. As we invest in our young people we are looking at our work force of tomorrow. They are anxious to live and work in our society. There is a extensive language program for adults. That is a separate entity.

Judy Lee: Representing District 13. See attached.

Representative Gulleeson: Do you feel the agencies that bring those refugees in are providing sufficient support long term?

Judy Lee: Not with out frustration. The agencies are staffed by people who care very much. They try hard, but many do fall through the cracks.

Laurel Thoreson: The Fargo Forum wrote my testimony, of which was about the size of 1x2. I am from West Fargo. The refugee program has led to the need of more English Teachers. We have 2 1/2 positions, now we need seven full time.

Mari Rasmussen: See attached plus another from a teacher. There is no federally funded program that meets the need.

Representative Wentz: Does anyone else wish to appear in opposition of HB1321. Seeing none we will close the hearing on HB1321.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1321

House Appropriations Committee
Education and Environment Division

☐ Conference Committee

Hearing Date February 8, 2001

Tape Number	Side A	Side B	Meter #
02-08-01 tape #2	1586-2092		
Committee Clerk Signature <i>Robert Hall</i>			

Minutes:

The committee was called to order, and opened committee work on 1321, English as a second language.

Rep. Wald: On section 3, page 3, has the number changed from \$800,000 to \$450,000. Is that general fund money?

Chairman Wentz: Yes. Yes the bill was amended by the Education Committee.

Rep. Martinson: Moves to restore that to the \$800,000 as in the original bill.

Motion fails due to a lack of second.

Rep. Monson: Did the Education Committee amend to reduce to the governor's recommended budget.

Rep. Wald: Asks OMB if there is any federal funds to pay for this rather than general funds.

OMB staff: He has no idea, it was not his budget.

Rep. Aarsvold: What was this appropriation for this line item last session?

Page 2

Government Operations Division

Bill/Resolution Number HB 1321

Hearing Date February 8, 2001

Response, OMB staff: The appropriation for this biennium is \$400,000.

Rep. Monson: Reports that he did attend the breakfast sponsored by this bill where they expressed their needs. They did state that they had federal funds, they are not confident those funds will continue, and they are reapplying and looking for other federal funds, but the present fund or grant is not available much longer.

Rep. Gulleon: Page 3 of the testimony states the federal funds. These were the "seed" dollars, to get the program started, and then the federal funds are taken away.

Rep. Aarsvold: Indicates that there is a significant problem in this area, and did not support Rep. Martinson's motion, but does Move to amend to \$600,000.

Motion failed due to a lack of second.

Rep. Wald: Moves a DO PASS. Seconded by Rep. Monson.

Vote on Do Pass : 7 yes, 0 no. Motion carries.

Rep. Wentz is assigned to carry this bill to the full committee.

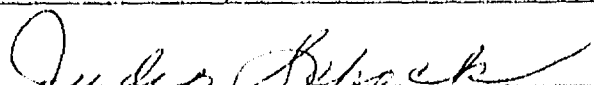
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1321

House Appropriations Committee
Education and Environment Division

☐ Conference Committee

Hearing Date February 09, 2001

Tape Number	Side A	Side B	Meter #
1 of 1	x		1,235
Committee Clerk Signature 			

Minutes:

Representatives Aarsvold, Boehm, Gulleeson, Martinson, Monson, Wald, Wentz.

Representative Wentz: I would hope that we can have a through discussion in this section and be sure we understand the bill fully and that we have done our home work the way we should be doing it.

We need to reconsider HB1321 and what we want to do with this or how to handle it. The appropriation is also in the DPI Budget 1013. I believe it is 450,000 in both. So if we were to pass 1321 with the money in it. It would be 900,000 total they would be getting. I think that we need to have a discussion as a committee. We need to understand that is what we would be doing by passing 1321. Is this what we want to do and we need to decide about the language in addition to the appropriation that is in HB1321. Rep. Hawkins, she liked the language that set up the levels for teaching and had different appropriations. I think it would be her hope that we

Page 2
Education and Environment Division
Bill/Resolution Number HB1321
Hearing Date February 09, 2001

would retain that language in either amend that into 1013 or pass 1321 without the appropriation in it. I ask for a motion to reconsider our actions.

Representative Martinson: Made the motion to reconsider our actions on HB1321.

Representative Boehm: Seconded the motion.

Seven yes 0 no and 0 absent.

Representative Martinson: I move we delete the 450,000 from the bill, with the thought we hold action on that until we have the DPI bill. So they come out together.

Representative Wald: I second the motion.

Six yes, 0 no and one absent.

Representative Martinson: I move we recommend a do pass as amended.

Representative Boehm: I seconded.

Representative Wentz: Can we defend this in the full committee?

Representative Martinson: What I see is when we start to amend things we make mistakes and often cause more work. We could do it the simple way. That would be the same way.

Representative Wentz: Do we have any more discussion.

Seven yes 0 no and 0 absent. Rep. Wentz to carry to full committee

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB1321**

House Appropriations Committee

☐ Conference Committee

Hearing Date **February 9, 2001**

Tape Number	Side A	Side B	Meter #
1	x		5025 -5130
Committee Clerk Signature <i>L. F. Laubert</i>			

Minutes:

HOUSE APPROPRIATIONS COMMITTEE ACTION ON HB1321.

Rep. Timm: Rep. Wentz, you said you have to take this bill back to your section. O. K. So there will be no action on HB1321.

End of committee action on HB1321.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1321A

House Appropriations Committee

☐ Conference Committee

Hearing Date **February 14, 2001**

Tape Number	Side A	Side B	Meter #
1		x	3464 - 4266
Committee Clerk Signature <i>L Z Oanlen</i>			

Minutes:

HOUSE APPROPRIATIONS COMMITTEE ACTION ON HB1321A.

Rep. Timm: We will take up action on HB1321.

Rep. Wentz: HB1321 was re-referred to the Education Section from the Education Committee and there is no appropriation on it. There is no money in that bill any longer, and I'm not sure what kind of information you have if your bill reflects that. The Education Committee reduced the appropriation from \$800,000 to \$450,000 which is the amount that is in the Governor's budget and we took that amount out with a further amendment because its also in HB1013, so the money is there, its in HB1013 and not in HB1321. If we had left the money in HB1321 we would have duplicated that appropriation and although the sponsor of the bill would have liked that very much we didn't feel that we could do that with the budget situation the way it is. So really all we have left in HB1321 is the language that specifies the level of English proficiency and the amount of the money that is to be given to that student, depending on the level that they are at.

We had an increase in the number of students that need the ESL type of tutoring. We had 73 in the 1984-1985 and now the number is up to 654 and 540 of those are in the Fargo area which continues to be the hardest hit area in the state, but the remaining number are also in thirteen other districts in the state so its not only Fargo that is experiencing the hit with these kinds of students and they come with all sorts of levels of English proficiency and they represent some 60 different dialects, so sometimes its really quite difficult to find someone who can help tutor them in English. Rep. Wentz went on to talk about the other problems these students have other than the English language. With that I would move the bill with a do pass as amended.

Rep. Timm: Before you do that Rep. Wentz, we don't seem to have the amendments.

Rep. Wentz: The amendments that we need to adopt is the one that removes the appropriation of \$450,000. I would move the amendments to remove the appropriation of \$450,000.

Rep. Timm: Seconded by Rep. Monson that we adopt the amendment number .0201 dated February 12th. Any discussion on that? All those in favor of adopting the amendment say AYE. Voice Vote. Motion carried. Amendments are adopted.

Rep. Wentz: I would move a DO PASS as amended.

Rep. Timm: Is there a second? Seconded by Rep. Monson. Any discussion? Roll Call vote was taken. Motion passes (13) YES (0) NO (8) Absent and not voting. Rep. Wentz will carry the bill to the floor.

End Committee Action on HB1321A.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1321

Page 1, line 3, remove "; and to provide an"

Page 1, line 4, remove "appropriation"

Page 3, remove lines 22 through 26

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Public Instruction

HOUSE - This amendment removes the general fund appropriation of \$450,000 for payments for limited English proficient students. The Schafer and the Hoeven executive budget recommendations for the Department of Public Instruction include \$450,000 in the foundation aid and transportation line item for these payments (contained in House Bill No. 1013, as introduced).

Date: 2-8-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Appropriations Education and Environment Division

#1321

House Appropriations Committee

☒ Subcommittee on Education: Environment
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS (Engrossed)

Motion Made By Rep. Wald Seconded By Rep. Monson

Representatives	Yes	No	Representatives	Yes	No
Rep. Janet Wentz -Chairman	✓				
Rep. James Boehm - Vice Chairman	✓				
Rep. Ole Aarsvold	✓				
Rep. Pam Gulletson	✓				
Rep. Bob Martinson	✓				
Rep. David Monson	✓				
Rep. Francis J. Wald	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Rep. Wentz

If the vote is on an amendment, briefly indicate intent:

Date: Dec 9, 01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Appropriations Education and Environment Division

House _____ Committee _____

☒ Subcommittee on HB 1321
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken reconsider our action HB 1321

Motion Made By Rep. Martinson Seconded By Rep. Boehm

Representatives	Yes	No	Representatives	Yes	No
Rep. Janet Wentz -Chairman	✓				
Rep. James Boehm - Vice Chairman	✓				
Rep. Ole Aarsvold	✓				
Rep. Pam Gulleon	✓				
Rep. Bob Martinson	✓				
Rep. David Monson	✓				
Rep. Francis J. Wald	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date:
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Appropriations Education and Environment Division

House EE Committee

☒ Subcommittee on H.B. 1371
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken 450,000 Delete Money from Section 3

Motion Made By Rep. Martinson Seconded By Rep. Wald

Representatives	Yes	No	Representatives	Yes	No
Rep. Janet Wentz -Chairman	<input checked="" type="checkbox"/>				
Rep. James Boehm - Vice Chairman	<input checked="" type="checkbox"/>				
Rep. Ole Aarsvold	<input checked="" type="checkbox"/>				
Rep. Pam Guleson	<input checked="" type="checkbox"/>				
Rep. Bob Martinson	<input checked="" type="checkbox"/>				
Rep. David Monson					
Rep. Francis J. Wald	<input checked="" type="checkbox"/>				

Total (Yes) 6 No 0

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: Jan 9
Roll Call Vote #: 3

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Appropriations Education and Environment Division

House EE Committee

☒ Subcommittee on HB 1321
or
☐ Conference Committee

Legislative Council Amendment Number 11

Action Taken Recommend to pass as Amendment

Motion Made By Rep Martinson Seconded By Rep Boehm

Representatives	Yes	No	Representatives	Yes	No
Rep. Janet Wentz -Chairman	<input checked="" type="checkbox"/>				
Rep. James Boehm - Vice Chairman	<input checked="" type="checkbox"/>				
Rep. Ole Aarsvold	<input checked="" type="checkbox"/>				
Rep. Pam Guleson	<input checked="" type="checkbox"/>				
Rep. Bob Martinson	<input checked="" type="checkbox"/>				
Rep. David Monson	<input checked="" type="checkbox"/>				
Rep. Francis J. Wald	<input checked="" type="checkbox"/>				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Reps Janet Wentz

If the vote is on an amendment, briefly indicate intent:

Date: 2/14/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1321

House APPROPRIATIONS Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS AS AMENDED

Motion Made By WENTZ Seconded By MONSON

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman					
Rep - Aarsvold	✓		Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson	✓	
Rep - Byerly	✓		Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol	✓	
Rep - Delzer			Rep - Svedjan		
Rep - Glassheim	✓		Rep - Thoreson	✓	
Rep - Gulleeson			Rep - Warner		
Rep - Huether	✓		Rep - Wentz	✓	
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniske					

Total (Yes) 13 No 0

Absent 8

Floor Assignment MONSON

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1321: Appropriations Committee (Rep. Timm, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**
(13 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING). HB 1321 was placed on the
Sixth order on the calendar.

Page 1, line 3, remove "; and to provide an"

Page 1, line 4, remove "appropriation"

Page 3, remove lines 22 through 26

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Public Instruction

HOUSE - This amendment removes the general fund appropriation of \$450,000 for payments for limited English proficient students. The Schafer and the Hoeven executive budget recommendations for the Department of Public Instruction include \$450,000 in the foundation aid and transportation line item for these payments (contained in House Bill No. 1013, as introduced).

2001 SENATE EDUCATION

HB 1321

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1321

Senate Education Committee

☐ Conference Committee

Hearing Date 03-07-01

Tape Number	Side A	Side B	Meter #
1	X		0 - 50.6
2		x	36.7 - end
Committee Clerk Signature <i>Andrew Johnson</i>			

Minutes: VICE CHAIRMAN FLAKOLL called the committee to order. Roll Call was taken with all members present.

VICE CHAIRMAN FLAKOLL called the hearing on HB 1321 which relates to the payments for limited English proficient students.

Testimony in support of HB 1321:

REPRESENTATIVE DISRUD, District 21, stated this bill is an ESL bill that deals with English as a Second Language. In Section I a new level has been added for the students. The importance of this issue in ND and elsewhere has come to light more and more as time goes on. Not only is this an education bill, but she looks to this as an economic development bill. ESL students can become strong, active citizens in their communities and our state. She read through testimony from DAN HUFFMAN, Fargo Public Schools. (see attached)

REPRESENTATIVE KATHY HAWKIN, District 46, spoke in support of the bill. She stated we need to keep this issue alive and addressed the Level 3 children. They are the ones who are

Page 2

Senate Education Committee

Bill/Resolution Number HB 1321

Hearing Date 03-07-01

"almost there". The school districts of ND are now serving the children, but it is a local cost.

This would help with the funding for this in the future when the monies are able to be appropriated. The money for the program is appropriated in HB 1310, in the Governor's budget.

REPRESENTATIVE LAURELL THORESON, District 13, spoke in support of the bill. He stated that West Fargo has a number of students who fall under Level 1 and 2. The local school districts are funding most of the cost. The hope is to get these children to be productive citizens of the state.

MARI RASMUSSEN, Assistant Director of Bilingual Education for DPI, stated this bill adds an additional level for limited English proficient students. (see attached testimony).

CARRIE KASOWSKI, Grand Forks Public Schools, ESL teacher, presented testimony which was a case study of one individual (see attached). By law, ND has to provide the service of educating these immigrant children. She feels new immigrants will help ND in the future as to the issues of declining population and shortage of work force. The extra money would give much-needed tutor help to the individuals needing it. SENATOR KELSH asked if they work with the sponsoring organizations when helping the immigrant families. She stated they do but many are also struggling with money also so they have to work and may not be able to attend classes regularly.

ZDRAVKA ZERIC, Bismarck parent, presented testimony in support of the program. (see attached).

PATRICIA CLARK, Corpus Christi Pastoral Minister, stated that parents need help with homework also. The local school district will continue to provide the service with local dollars funding it. It is the obligation, by law, for the schools to provide services for student learning English. If the services are not provided, the federal funding will be at risk.

Page 3
Senate Education Committee
Bill/Resolution Number HB 1321
Hearing Date 03-07-01

There was no opposition to HB 1321.

VICE CHAIRMAN FLAKOLL closed the hearing on HB 1321.

SENATOR KELSH noted that when this problem seemed to only affect Fargo, the legislative assembly did support funding of the effort.

3-7-01, Tape 2, Side B, 36.7 - end

SENATOR COOK moved a DO PASS and Rerefer to Appropriations. **SENATOR COOK** feels the sponsors want the language that is in the bill. The appropriation for this bill is in the foundation aid bill. According to the fiscal note, the money is going to fund only the first two levels of ESL. According to the bill, the money is going to fund all three levels.

Roll Call Vote: 7 YES. 0 NO. 0 Absent. Motion Carried.

Carrier: SENATOR WANZEK

Date: -
Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1321

Senate Education Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken DP & review of Appropriations

Motion Made By Sen. Cook Seconded By Sen. Flakoll

[illegible]

Total (Yes) 7 No 0

Absent 0

Floor Assignment *Sen. Wanzek*

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 7, 2001 4:01 p.m.

Module No: SR-39-5051
Carrier: Wanzek
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1321, as reengrossed: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** and **BE REREFERRED** to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1321 was rereferred to the Appropriations Committee.

2001 SENATE APPROPRIATIONS

HB 1321

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1321

Senate Appropriations Committee

☐ Conference Committee

Hearing Date March 20, 2001

Tape Number	Side A	Side B	Meter #
Tape 1		x	9.5 - 36.7
Committee Clerk Signature <i>Urric Pitaru</i>			

Minutes:

Senator Nething called the Committee to order, and opened the hearing on HB1321.

Representative Rachael Disrud, District 21 - Fargo, and one of the primary sponsors, spoke in support of the bill. She has been involved with the English as the Second Language (ESL) program for some time, her area has seen an outgrowth in population partly due to the low rent, starter homes. This is not a special education program --- these receivers of the program are seen as potential workers -- an economic development project at its best. The first proposal was for 800 thousand --- now is at 450 thousand -- appealing to Committee to raise that sum. She is aware that the dollars will be going into the Department of Public Instruction budget for distribution.

Senator Nething: Is there a fiscal impact? Can you explain? This Committee is limited to the fiscal aspect when bills are re-referred to us.

Representative Disrud: 450 thousand dollars --- hoping for an amendment to raise those dollars.

Senator Tomac: No dollars? Authorization only?

Representative Disrud: The importance is raising dollars.

Senator Tomac: Current payment is 400 dollars for each individual -- who are placed into one of three categories?

Representative Disrud: There is a breakdown for each category --- zero dollars for some who need only a final brush-up.

Senator Grindberg: As it reads now --- level 3 gets 400 thousand dollars --- does this short change levels 1 and 2?

Representative Disrud: Yes. Mari Rasmussen can help explain. Need for allowing in future schools to evaluate students for category impact on program -- help to identify, helps growth of program.

Representative Kathy Hawken, District 46 - Fargo, and one of the bill's sponsor spoke in support of HB1321. We're here asking for you to put money here --- schools are not getting 400 per student; there are caps on school districts --- there are (as of last week) 654 such students in the Fargo school system. They can be part of the Work Force development program. Asking for a helping hand -- part of final dollar distribution.

Senator Solberg: If Fargo has 654 --- where are the other 1200?

Representative Hawken: Scattered throughout some 13 communities. 90% have been in the Fargo district -- but as they expand to other areas, more of the state population can now see the problem and the need.

Senator Holmberg: Asking for 450 thousand out of foundation to be put here? Asking general fund moneys there -- alternative from aid? If unable to provide the additional 350 thousand to fully fund the program --- would you cut back on all 3 categories?

Representative Hawken: Additional out of foundation aid --- not after those dollars from all schools; looking at what's left at the end --dollars that might be available from bills that have been killed. It would be difficult to fund all 3 groups --- would like to of course. May need to eliminate numbers in some categories.

Senator Nething: Perhaps something to keep in mind, as this proposal will be assigned to a subcommittee.

Mari Rasmussen, Assistant Director of Bilingual Education, Department of Public Instruction, testified for HB1321 (a copy of her written testimony is attached). She also distributed copies of testimony from a Grand Forks teacher, a parent, and a volunteer (copies of the three testimonies were attached).

Senator Holmberg: As a child comes in the area -- does the Lutheran Social Services (LSS) or other sponsors commit dollars for assistance to the school districts?

Mari Rasmussen: Yes and no. The major sponsor of the refugee resettlement is LSS -- and the do collaborate with the school districts. But once an individual is here he/she often brings in others. Then there are adoptions and migrant workers to consider.

Senator Holmberg: Fine point: do they provide dollars to assist in the English proficiency programs?

Mari Rasmussen: Not the resettlement groups. They are for adults not K-12.

Senator Holmberg: Dollars that are given to district -- are they without strings? Used to purchase supplies? Pay salaries?

Mari Rasmussen: Intent of the funding is for costs incurred to teach English as a second language.

Page 4
Senate Appropriations Committee
Bill/Resolution Number HB1321
Hearing Date March 20, 2001

Senator Andrist: Help with the math-- explain numbers -- page 3 326 plus 211 for 540 total?

Them 8-9 hundred; and on the fiscal note 2 thousand? What numbers should we be considering?

Mari Rasmussen: Chart 7 has dollars if paid at all levels.

Senator Andrist: Total number of all three 830? Fiscal has 2000?

Mari Rasmussen: Took into consideration 10% increase.

Senator Andrist: This is more than 10%?

Mari Rasmussen: I'll check figures, and get information back to the Committee.

No addition requests to testify. Senator Nething closed the hearing on HB1321.

Senator Nething assigned HB1321 to the same Subcommittee reviewing HB1013 - Department of Public Instruction; Senator Holmberg, Chair; Senators Nething and Robinson.

3-29-01 Full Committee Action (Tape #2, Side A, Meter # 9.9 - 11.7)

Senator Nething reopened the hearing on HB1321 - English proficiency.

Senator Holmberg, Chair of the Subcommittee, reported the Subcommittee's findings and recommendations of amendments #10525.0301. Discussion on the amendment.

Senator Holmberg moved adoption of the amendments; seconded by Senator Grindberg.

Discussion; call for the vote. Voice vote carried. Discussion on the bill.

Senator Holmberg moved a DO PASS AS AMENDED; Senator Robinson seconded.

Discussion; call for the vote; Roll Call Vote: 14 yes; 0 no; 0 absent and not voting.

Senator Holmberg accepted the amendment floor assignment; bill will be carried by Senator Wanzek.

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1321

Page 1, line 11, replace "Five" with "Four" and after "hundred" insert "twenty-five"

Page 1, line 15, replace "Four" with "Three" and after "hundred" insert "twenty-five"

Page 1, line 19, replace "Three" with "Two" and after "hundred" insert "twenty-five"

Page 2, line 23, replace "Five" with "Four" and after "hundred" insert "twenty-five"

Page 2, line 27, replace "Four" with "Three" and after "hundred" insert "twenty-five"

Page 3, line 1, replace "Three" with "Two" and after "hundred" insert "twenty-five"

Renumber accordingly

Date: 3-29-01

Roll Call Vote #: _____

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. LB 1321

Senate Appropriations Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number 10525.0301

Action Taken On Pass as Amended

Motion Made By Senator Winters Seconded By Senator Winters

Senators	Yes	No	Senators	Yes	No
Dave Nothing, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 14 No 6

Absent 6

Floor Assignment Senator Winters

If the vote is on an amendment, briefly indicate intent:

Amendment

REPORT OF STANDING COMMITTEE

HB 1321, as reengrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1321 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "Five" with "Four" and after "hundred" insert "twenty-five"

Page 1, line 15, replace "Four" with "Three" and after "hundred" insert "twenty-five"

Page 1, line 19, replace "Three" with "Two" and after "hundred" insert "twenty-five"

Page 2, line 23, replace "Five" with "Four" and after "hundred" insert "twenty-five"

Page 2, line 27, replace "Four" with "Three" and after "hundred" insert "twenty-five"

Page 3, line 1, replace "Three" with "Two" and after "hundred" insert "twenty-five"

Renumber accordingly

2001 TESTIMONY

HB 1321

**TESTIMONY ON HB 1321
HOUSE EDUCATION COMMITTEE**

January 22, 2001

By Mari Rasmussen, Assistant Director of Bilingual Education

328-2958

Department of Public Instruction

Madam Chairman Kelsch and members of the committee:

My name is Mari Rasmussen and I am the Assistant Director of Bilingual Education for the Department of Public Instruction. I am here to offer information on House Bill 1321; a bill relating to payments for limited English proficient students.

There are several questions I would like to address concerning this bill:

- What is this bill changing in the present Century Code?
- What is the fiscal impact of this bill?
- What is the purpose of this program?
- Who benefits from this program?
- How successful has this program been?
- What does the future forecast look like?

The primary change in HB 1321 makes in section 15-40.1-07.7 of the North Dakota Century Code is to increase the amount of funding school districts in North Dakota are reimbursed for students who are learning English as a second language. School districts would get more money for students who completely lack English and demand the most intensive services, and school districts would get funding for an additional category of students, who had previously not been eligible. The purpose of this change is to better reflect the costs of the necessary services and has been requested by those who work in school districts. The bill also provides a more complete definition of limited English proficient students, maintaining original intention of the legislation, that the funding goes to students who have a primary language other than English, and that schools use the funding to increase their English language proficiency.

Though there is an appropriation of \$800,000.00 for the biennium, the actual fiscal impact of the bill is only **\$350,000.00**. Presently, there is \$450,000.00 in the Department of Public Instruction's budget for this program.

The purpose of this program is to reimburse school districts for costs incurred for English as a second language (ESL) teachers, instructional aides, teaching materials and other costs related to the instruction of students from other language backgrounds. These costs are not only necessary to assure appropriate educational services, they assist in meeting state and federal requirements. The program was first implemented in 1997 at \$300.00 for students at level 1 and 2. The payment was increased in 1999 to \$400.00 per student. Since 1997 over twenty school districts and over 1000 children in North Dakota have benefited from this program.

I would like to make the point that, though the large districts in North Dakota receive the lion's share of this funding, it is a program that is valuable to small districts. This fall I worked with the New Salem School District. An immigrant family had settled in the area and the school needed assistance with the children. The principal and teachers were not sure how to help the girls and they had not budgeted for the extra services and materials necessary to help the girls learn English. Upon testing the girls, it was found that only one girl qualified for the state funding. Though the dollars were few, they were able to assist in providing some services. I understand the girls are doing better in school. One girl has a love of horses and a teacher has used this love to help her learn. The principal has said that there is the possibility of more immigrant families moving into the New Salem area.

Chart A lists school districts that have applied for funding for the 2000 – 2001 school year.

Chart A					
NORTH DAKOTA LIMITED ENGLISH PROFICIENT STUDENT PAYMENT PROGRAM - October 2000					
SCHOOL	CONTACT PERSON	PHONE	SCORES		TOTAL 1 & 2'S
			1	2	3
Beulah Public	Art Schilke	873-2298	1	2	3.00
Bismarck Public	Teresa Delorme	221-3455	10	22	32.00
Ellendale Public	Hy C J Schlieve	349-3232			0.00
Fargo Public	Michele Vannote	297-1976	222	140	362.00
Grafton Public	Paul Stremick	352-1930	4	1	5.00
Grand Forks Public	Larry Hoiberg	746-2200	23	6	34.00
Jamestown Public	Jacob Wolf	252-0468		3	3.00
Minot Public	Jeffrey Holm	857-4610	2		2.00
New Salem Public	Brent Lauf	843-7846		1	1.00
Northern Cass	Helmuth Habermann	874-2322	3	3	6.00
Northwood	Craig Eraas	587-5221	6	1	7.00
Park River	Harold Knoll	284-7164	4	6	10.00
Wahpeton	Norma Nosek	642-5499	3	2	5.00
West Fargo	Louise Dardis	282-3388	44	26	70.00
TOTAL			326	211	540.00

This is a program with a high success rate. Giving money to schools to develop strong English language programs allows them to focus quality services where they are needed. In my own work with the Bismarck Public School ESL Program, I have seen students succeed and move on quickly when they have been given strong support in the beginning. Students who are not given the appropriate English language support when needed are more likely to struggle, fail, and ultimately become a greater burden on the educational system.

As we look into the future, we can see that this a program that will continue to benefit schools in North Dakota. As our overall school enrollment is decreasing at alarming rates, students from different language backgrounds in North Dakota are increasing. The number of students eligible for payment from the state program has increased by approximately ten percent each year.



asset in North Dakota. Building a strong education program for limited English proficient students is a good investment in North Dakota. This program will not only help all our children, but also build a stronger State for all of us.

The only change I recommend to this bill is a change in the deadline date for filing of applications for state funding to December 1st of the school year. This date is consistent with the Special Education Child Count date for IDEA funding and a familiar deadline for school districts to meet.

Dan Huffman
HB 1321

**North Dakota Legislative Assembly
House Education Committee
House Bill 1321
Payments for English Language Learners Programs
January 22, 2001**

Over the past sixteen years the Fargo School District #1 has seen a steady increase in the number of students with limited English skills. The number has increased from 73 in 1984-85 to 654 this year. These students speak many different languages, sometimes up to 60 different dialects, and have many unique problems that must be solved. Some have not been in school for years because they have been in hiding. Others have special education needs that can not even be identified until the language issues have been resolved. There is no one solution for these children. As such, the educational programs must be many and varied and often times delivered on a one on one basis. Even in classroom settings, the pupil teacher ratio is often as low as seven to one, as the teachers and support personnel attempt to meet the needs of the students.

This places a serious burden on the district. Over these past years our district has spent millions of dollars on the education of this English learner population. Two sessions ago, this state started to provide assistance to those students with the most severe English language needs. This past session, a \$400 per pupil payment was authorized for students testing in Level I & II of the assessment test. However, because of the growth in the number of students, the payment will only be about \$320 this year. This payment covers approximately twenty four percent (24%) of the cost for about fifty five percent (55%) of the population.

For years, this was primarily a Fargo issue. However, this year, of the 540 students that test in Levels I & II, 362 (67%) are in Fargo. The remaining 178 are living in thirteen other districts. These districts all need help in providing the educational programs to English language learners.

This proposed legislation would provide a three tiered approach to funding. Level I would be supported at \$500, Level II at \$400, and for the first time Level III students would be supported with a payment of \$300. This would result in an increase to our district of \$84,800 more than we should have received this year and \$111,950 more than we will actually receive this year.

Our district supports the efforts to increase this funding, but would like the following considerations to be included in the proposal.

1. Level I and II should be funded at the same level. That level of support should be at least \$500 and realistically that support should be closer to \$800.
2. The appropriation must be large enough to avoid the shortfall problem of this year.
3. Level III should be funded at eighty percent (80%) of the funding in Levels I & II.

As this population continues to increase, the demand on school districts for additional financial resources, personnel, and space will continue to grow. Fargo, like these other thirteen districts need your help.

Dan Huffman
HB 1321

Fargo Public School District #1
English Language Learners Program
Fiscal Year 2000-2001 Students

Current State Support

<u>Annual Program Cost Summary</u>			
<u>Educational Program</u>			
	Number Students	Cost./ Student	Totals
	654	\$1,300	\$850,200
Activities Programs			\$78,000
Total Program Costs			\$928,200
			\$928,200

<u>Current Federal Support</u>		
OREMLA Grant		\$134,000
Emergency Immigrant Grant		\$75,600
STEEP Grant (Activities Programs)		\$78,000
Total Federal Dollars		\$287,600
		\$287,600

<u>Current State Support</u>			
Level of Proficiency	Number Students	Proposed Payment	Totals
I	208	\$314	\$65,312
II	167	\$314	\$52,438
III	196	\$0	\$0
IV & V	83	\$0	\$0
Total	654		\$117,750
			\$117,750

Total State & Federal Revenue	\$405,350
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Total Local Cost	\$522,850
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This data assumes there will be no increase in the number of ELL students which will result in an additional decrease in the per pupil payment.

Fargo Public School District #1
English Language Learners Program
Fiscal Year 2000-2001 Students

Proposed State Support

Annual Program Cost Summary

Educational Program

	Number Students	Cost./ Student	Totals	
	654	\$1,300	\$850,200	
Activities Programs			\$78,000	
Total Program Costs			\$928,200	\$928,200

Current Federal Support

OBEMLA Grant	\$134,000	
Emergency Immigrant Grant	\$75,600	
STEEP Grant (Activities Programs)	\$78,000	
Total Federal Dollars	\$287,600	\$287,600

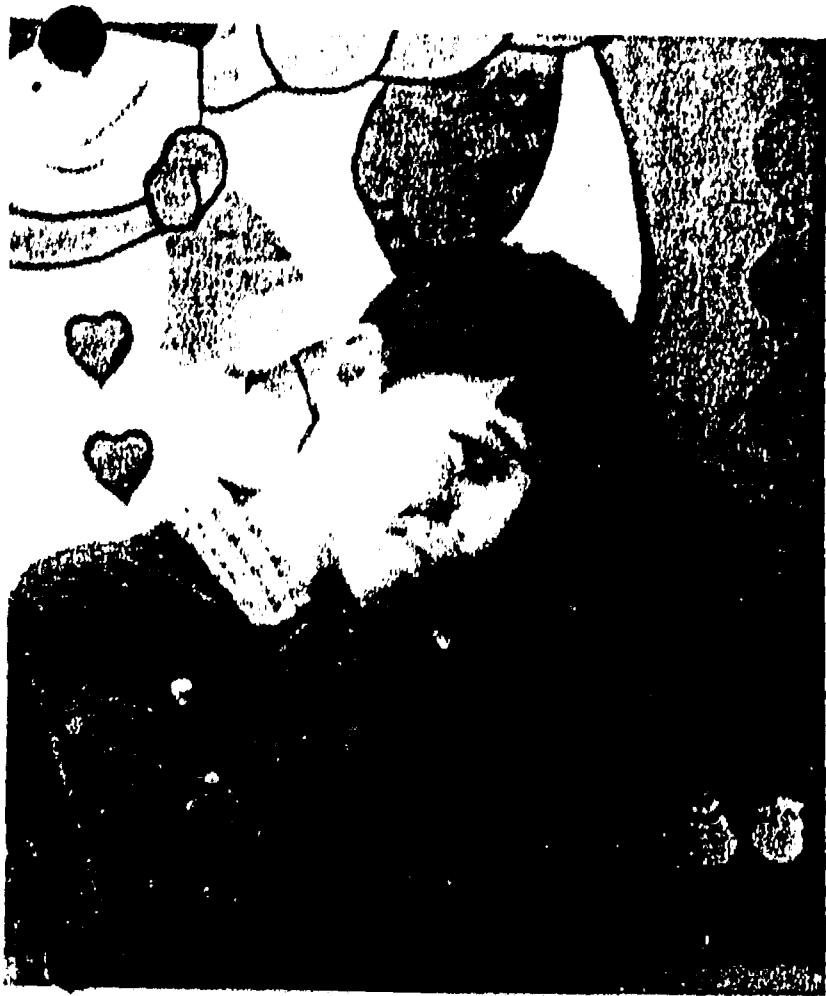
Proposed State Support

Level of Proficiency	Number Students	Proposed Payment	Totals	
I	208	\$500	\$104,000	
II	167	\$400	\$66,800	
III	196	\$300	\$58,800	
IV & V	83	\$0	\$0	
Total	654		\$229,600	\$229,600

Total State & Federal Revenue	\$517,200
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Total Local Cost	\$411,000
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This data assumes there will be no increase in the number of ELL students and no increase in program cost. Both the number of students and the cost of the program have increased each year since 1984-85.



When I met Driton my first impression of him was angelic. After I knew him for a while it changed to Satanic. My feelings for him now are totally ironic!!!

Driton is 10; his family came last year from Kosovo. With no English and very little education, he is illiterate in the Albanian language. He had very poor social skills, personal hygiene was a definite problem, he threw tantrums, had a terrible temper, was very physical with the other students, and couldn't sit still. A real treasure.

Driton used to tell me stories about rebels looting his families shop, having guns pointed at him, and what they do to cats in his country - all with the same mischievous grin on his face. In my mind Driton must suffer from every behavioral and special education initial you could think of. Driton listened to no one and seemed to respect no one - Did I wish he had never arrived in Grand Forks? Did I wish they would send him back? Without a doubt - you bet!

Driton started being the local con man. Going to fast food restaurants pleading hunger and no-speak-a-the-English - he always came away full.

He got into most UND events free because he couldn't remember where he put his ticket - yeah right. He was on his bike all over town and his parents had no control over him.

In school he never did his homework, couldn't seem to retain anything from one day to the next, and was totally disinterested in anything that was stationary. Many days Driton had his classroom teacher, me, and anyone else that came into contact with him (from the P.E. instructor to the lunch lady) going home feeling hopeless and helpless. I have learned that I can gauge my stress levels pretty well at the ends of the day when I open my purse and see how many pens with spoons taped to the end I have accidentally picked up. In the beginning with Driton I had a purse full. It wasn't so much a feeling of how was he going to survive, but how were we!

The phrase 'pay now or pay later' really applies to ESL students. If we want them to become productive and successful members of our Community and State we need to put in the necessary time, money, and educational efforts into those students now. We cannot allow our ESL student to "sink or swim" because the repercussions to themselves, our Communities, and our State are too great.

Can we afford to focus our attention on students like Driton just until they have learned enough basic English to get by? Not if we really care about them and their future.

Is Driton's situation a unique and isolated one to new refugees and immigrant arrivals into North Dakota and the United States? Not any more. We are seeing many students with scarce educational backgrounds but plenty of emotional baggage.

How is Driton doing today? I love him like a son well it's getting there. It has taken many tedious hours of help from his classroom teachers and the entire staff at his school on not only language and academic issues but also the difficult social transitions-forgive me but "it takes a village". We have seen so much progress and, from my viewpoint, those behavioral and special education initials are starting to drop off. I can't tell you how exciting it is to see him learning to read, learning to socialize, to be accepted and acceptable.

His smile genuinely lights up my day. He's funny. He's smart, and he works hard. I like him!!! But more importantly he likes himself.

In Grand Forks so far this year we are providing ESL services for 54 students. Eight have come since Christmas break. These are the students that have been deemed to have the greatest needs. There are approximately 100 more students that fall under the LEP (limited English Proficient) title, but we have neither the time nor the resources to get these students the help they need.

Is it worth the time, headache, heartache, and money spent to educate and help kids like Driton become an asset to our country? Is it worth it to North Dakota to continue to bring families from war torn and deprived countries? Am I glad Driton came to Grand Forks and became a part of my life? Without a doubt – you bet!!

I would like to leave you today on a very personal note. I am a native of North Dakota, born and raised in Michigan, ND. My family's business was forced to foreclose almost two years after over 65 years in business. Joe Lamb's Oil and Supply and The Kite on Highway 2. Rural and small town North Dakota are no longer the same as when we grew up, but as my father, Bob Lamb, told me during that devastating time, "Carrie, when one door closes another one opens. Have faith and believe." And I do believe that the new immigrant families coming to us today are an open door and can be a big part of revitalizing North Dakota.

Carrie Kasowski

Grand Forks Public School

Grand Forks, ND

ckasowski@fc.grand-forks.k12.nd.us

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**TESTIMONY ON HB 1321
HOUSE EDUCATION COMMITTEE**

January 22, 2001

By Mirka Visnjic

Gospodjo Chairman Kelsch kao I ostali clanovi ovog komiteta,

Ja se zovem Mirka Visnjic I ja bih voljela da govorim o materijalnoj strani
U oblasti obrazovanja za ucenike kojima Engleski jezik nije maternji.

Hvala za dopustenje da govorim danas pred ovim postovanim skupom.

Madam Chairman Kelsch and members of the committee: My name is
Mirka Visnjic and I am here to speak in favor of funding for students learning
English. Thank you for allowing me to speak in front of you.

I came to Bismarck from former Yugoslavia two and a half years ago. I
came with my two daughters and husband. We came straight from the war, hoping
to find the possibility to educate our children. We were so excited to see the
possibilities for learning for our children, but we also met a lot of obstacles. The
first obstacle was the fact that we did not know much English. My girls had been
very good students in Yugoslavia. They were used to getting straight "A's". They
were frustrated at first in Bismarck because they could not do as well with their
limited English. Fortunately, my children had some good teachers and some help
from Bismarck Schools English as a second language (ESL) program. Now they
are both getting "A's". Katerina is in sixth grade and doing well. Tea is a
freshman at the University of Mary.

As with many other newcomers before us, my husband and I have had to
struggle to hold down jobs, learn English and help our children. In Yugoslavia I
had a good position as a teacher. My husband was a journalist. Now I am
working two part-time jobs. I am a cook at Cracker Barrel Restaurant and an
instructional aide with the Bismarck Public Schools. My husband is a computer
technician at Sykes.

Education is important for us. We are now living in the twenty-first
century. Our children need good educations to be open-minded. Education makes
people more open-minded. As an educator myself, I saw that people who had
good schooling were more apt to be peaceful people, without prejudice.
Experiencing a war, which closed all possibilities for good education made me
realize how important it was to find a place for my children to get good
educations. Despite our struggles, my husband and I feel we have found a good
place in North Dakota.

Thank you for letting me speak to you.

January 22, 2001

I am Judy Lee, Senator from District 13 West Fargo, and I am here today to support SB 1321 which provides for additional funding for English as Second Language education.

In our school district one year ago, we had 45 ESL students; last week we had 109, a significant increase for which to provide appropriate services. The new students are welcomed and appreciated, but no one can deny that there is a significant impact from the large number of students from many different countries. Many are not able to function in a regular classroom. Some have never attended school before. They need special, small group instruction and specialized curriculum. This also creates a need for more space and more staff. West Fargo is currently advertising to fill an additional position.

Last session, we passed legislation providing for funding at \$400/student. Because of the increase in students, the payment has dropped to \$350 and may drop even further as more students arrive. This payment does not come close to cover the cost of providing services, but certainly helps the districts in meeting these special challenges. Other school districts in the state have ESL students as well, but the greatest impact has been on West Fargo and Fargo.

Educators are dealing with cultural and medical challenges as well as education. For example, many students have never had dental care and need dental work done in order to be free from pain and able to learn. Differences in roles of males and females and family leadership need to be acknowledged as school staff work with families.

The need for interpreters becomes more challenging as children come from countries not previously represented in the state, so it is hard to find someone who speaks their languages. This fall there were 12 countries represented in West Fargo. The district is now getting the "lost boys" whom you may have read about--children from Somalia who have lived terrible lives, without families in many cases, and now are here, knowing what a pencil is, but never having seen an eraser; needing to be taught basic things such as how to flush a toilet; no one knows their birth dates, so the district keeps the boys in school and tries to assist them, even though they may be older than 18.

Transportation is also a challenge, since many families do not have drive or have cars and there is not school bus service for every program. Volunteer numbers have dropped off as churches and individual families have sometimes felt overloaded.

The community is benefitting in many ways from the arrival of the refugees and we appreciate the broadening of our experiences that these people, who have suffered so much, bring to us. But the schools throughout ND who are trying to provide the best education possible for these students are meeting tremendous challenges, and it is appropriate that the funding of these programs be enhanced.

I urge you to give a favorable review to this bill.

**TESTIMONY ON HB 1321
HOUSE APPROPRIATIONS COMMITTEE**

February 8, 2001

By Mari Rasmussen, Assistant Director of Bilingual Education

328-2958

Department of Public Instruction

Madam Chairman Wentz and members of the committee:

My name is Mari Rasmussen and I administer bilingual and second language programs for the Department of Public Instruction. I am here to offer information on House Bill 1321; a bill relating to payments for limited English proficient students. My testimony will primarily address the fiscal impact of this bill, but I am willing to answer any questions concerning the purpose, limitations and benefits of this bill.

House Bill 1321 provides funding for schools that have programs for students learning English as a second language. The bill makes a change in section 15-40.1-07.7 of the North Dakota Century Code increasing the amount of funding school districts in North Dakota are reimbursed. School districts would get more money for students who completely lack English and demand the most intensive services and school districts would get funding for an additional category of students, who had previously not been eligible. There are four points I would like to make concerning the fiscal impact of this bill.

- Engrossed House Bill No. 1321 has no fiscal impact on the budget since the amount appropriated is already included in the Governor's budget.
- Because of growth in student numbers and an increase in levels funded, there is a need for additional funding for this program.
- The North Dakota Limited English Proficient Student Payment Program is a program that potentially impacts and assists all school districts in the state.
- There is no federally funded program that meets the same need that this program does.

House Bill 1321 had an original appropriation of \$800,000.00, which is an additional \$350,000.00 added to the budget, allowing for a third category of students to be eligible and an increase of \$100.00 for the first category of students. The House Education Committee amended the bill down to the \$450,000.00, which is in the Governor's budget.

The North Dakota Limited English Proficient Student Payment Program has been a positive and successful program and many educators in North Dakota are happy that it will be strengthened and improved. The difficulty lies in the fact that the reduction in the appropriation does not fully meet the needs of the bill. There is not sufficient funding to address both the three levels of students and the increase in student numbers in North Dakota.

Growth of LEP Students Eligible for State Funding

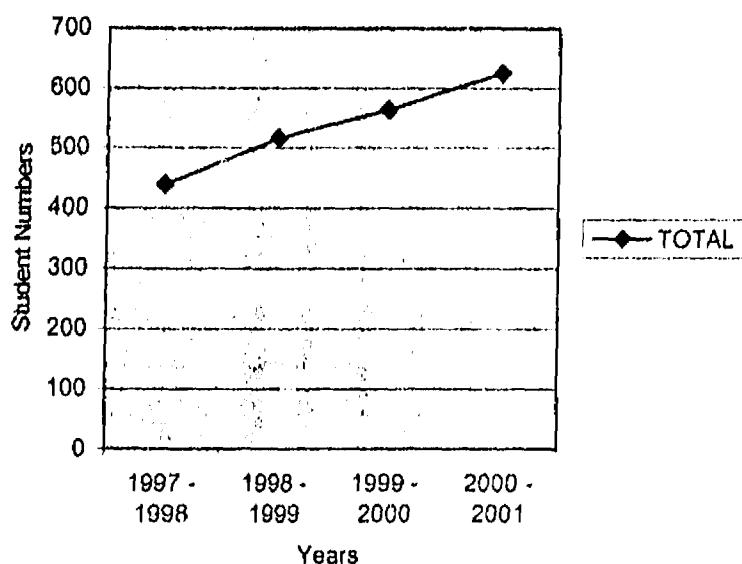


Chart A shows the growth in student numbers for the last several years. If the growth in student numbers stays consistent, \$385,000.00 will be needed for the next biennium to provide \$500.00 for level 1 students; \$220,000.00 will be needed to provide \$400.00 for level 2 students, and \$195,000.00 will be needed to provide \$300.00 for level 3 students. Though the majority of this funding goes to the larger school districts in North

Dakota, many small school districts benefit from the funding. If non-English-speaking children move into any school in North Dakota, the district is eligible to apply for funding.

Some schools in North Dakota also receive federal funds, which provide assistance for limited English proficient students, but the criteria are very limited and/or competitive. Also, federal funding can only supplement basic educational services, which are a state and local responsibility. Following is a chart showing the federal and state funding school districts are receiving for programs related to the education of students who lack English language skills.

Programs for Limited English Proficient Students in North Dakota 2000 - 2001

Program	STATE FUNDS	FEDERAL FUNDS					Totals
	State LEP Program - 2001 Estimated Awards	Title VII Bilingual Education Grants		Title VII Emergency Immigrant Education Program	Refugee Children School Impact Grants		
Program Description	Reimburses school districts for costs incurred for services for students who score at level 1 & 2 on an English language test	Competitive grants for bilingual and English as a Second Language Programs awarded directly from Washington for 1 or 5 years	Year	Grants awarded on a yearly basis for schools heavily impacted by new immigrant students	Grants for after school tutoring and extracurricular activities for refugee students. This funding will continue for one more year	Total federal funding	Total state and federal funding for limited English proficient English as a second language, immigrant & refugee students
School							
Beulah Public	\$ 1,020.00					\$ -	\$ 1,020.00
Fort Yates Public		\$ 218,000.00	5			\$ 218,000.00	\$ 218,000.00
Bismarck Public	\$ 10,880.00			\$ 9,300.00	\$ 15,000.00	\$ 24,300.00	\$ 35,180.00
Fargo Public	\$ 123,080.00	\$ 134,000.00	4	\$ 75,600.00	\$ 78,000.00	\$ 287,600.00	\$ 410,680.00
Grafton Public	\$ 1,700.00					\$ -	\$ 1,700.00
Grand Forks Public	\$ 11,560.00			\$ 5,200.00	\$ 15,000.00	\$ 20,200.00	\$ 31,760.00
Jamestown Public	\$ 1,020.00			\$ 1,400.00	\$ 4,000.00	\$ 5,400.00	\$ 6,420.00
Minot Public	\$ 680.00					\$ -	\$ 680.00
New Salem Public	\$ 340.00					\$ -	\$ 340.00
Northern Cass	\$ 2,040.00					\$ -	\$ 2,040.00
Northwood	\$ 2,380.00					\$ -	\$ 2,380.00
Park River	\$ 3,400.00					\$ -	\$ 3,400.00
Turtle Mountain Community		\$ 350,000.00	4			\$ 350,000.00	\$ 350,000.00
Twin Buttes Elementary		\$ 150,000.00				\$ 150,000.00	\$ 150,000.00
United Tribes Early Childhood		\$ 150,000.00	2			\$ 150,000.00	\$ 150,000.00
United Tribes - T. J. Elementary		\$ 150,000.00	2			\$ 150,000.00	\$ 150,000.00
Wahpeton Public	\$ 1,700.00			\$ 1,000.00		\$ 1,000.00	\$ 2,700.00
West Fargo Public	\$ 23,800.00			\$ 8,000.00	\$ 11,000.00	\$ 19,000.00	\$ 42,800.00
White Shield Public		\$ 150,000.00	2			\$ 150,000.00	\$ 150,000.00
Totals	\$ 183,600.00	\$ 1,322,000.00		\$ 100,500.00	\$ 123,000.00	\$ 1,545,500.00	\$ 1,729,100.00

House Bill 1321 is a dynamic, powerful bill, which is an essential enhancement to the North Dakota's educational program. The present engrossment has no fiscal impact on the present budget. An increase in the appropriation would only serve to strengthen this program, which in turn strengthens the overall foundation aid program for North Dakota students.

North Dakota Legislative Assembly
Senate Education Committee
House Bill 1321
Payments for English Language Learners Programs
March 7, 2001

Over the past sixteen years the Fargo School District #1 has seen a steady increase in the number of students with limited English skills. The number has increased from 73 in 1984-85 to 654 this year. These students speak many different languages, sometimes up to 60 different dialects, and have many unique problems that must be solved. Some have not been in school for years because they have been in hiding. Others have special education needs that can not even be identified until the language issues have been resolved. There is no one solution for these children. As such, the educational programs must be many and varied and often times delivered on a one on one basis. Even in classroom settings, the pupil teacher ratio is often as low as seven to one, as the teachers and support personnel attempt to meet the needs of the students.

This places a serious burden on the district. Over these past years our district has spent millions of dollars on the education of this English learner population. Two sessions ago, this state started to provide assistance to those students with the most severe English language needs. This past session, a \$400 per pupil payment was authorized for students testing in Level I & II of the assessment test. However, because of the growth in the number of students, the payment will only be about \$317 this year. This payment covers approximately twenty four percent (24%) of the cost for about fifty five percent (55%) of the population.

For years, this was primarily a Fargo issue. However, this year, of the 540 students that test in Levels I & II, 362 (67%) are in Fargo. The remaining 178 are living in thirteen other districts. These districts all need help in providing the educational programs to English language learners.

This proposed legislation would provide a three tiered approach to funding. Originally, Level I would be supported at \$500, Level II at \$400, and for the first time Level III students would be supported with a payment of \$300. This would result in an increase to our district of \$84,800 more than we should have received this year and \$111,950 more than we will actually receive this year.

Our district supports the efforts to increase the funding that was contained in the original bill. Your support of this change is very much needed and appreciated.

As this population continues to increase, the demand on school districts for additional financial resources, personnel, and space will continue to grow. Fargo, like these other thirteen districts need your help.

Dan Huffman
Fargo Public School District #1
415 N. 4th St.
Fargo, ND 58104
huffmda@fargo.k12.nd.us
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581-4839 (C)

**TESTIMONY ON HB 1321
SENATE EDUCATION COMMITTEE
MARCH 7, 2001**

**By Mari Rasmussen, Assistant Director of Bilingual Education
328-2958
Department of Public Instruction**

Chairman Freborg and members of the committee:

My name is Mari Rasmussen and I am the Assistant Director of Bilingual Education for the Department of Public Instruction. I am here to offer information on House Bill 1321; a bill relating to payments for limited English proficient students.

There are several questions I would like to address concerning this bill:

- What is this bill changing in the present Century Code?
- What is the fiscal impact of this bill?
- Who benefits and successes of this program?
- What does the future forecast look like?

The primary change HB 1321 makes in section 15-40.1-07.7 of the North Dakota Century Code is to increase the amount of funding school districts in North Dakota are reimbursed for students who are learning English as a second language. School districts would get more money for students who completely lack English and demand the most intensive services and school districts would get funding for an additional category of students who had previously not been eligible. The purpose of this change is to better reflect the costs of the necessary services and has been requested by those who work in school districts. The bill also provides a more complete definition of limited English proficient students, maintaining original intention of the legislation that the funding goes to students who have a primary language other than English and that schools use the funding to increase their English language proficiency.

There is no fiscal impact on the budget with the present version of this bill since the Governor's Budget includes \$450,000.00 for the program. The original bill asked for an increase of \$350,000.00 to accommodate for the added expenses. Three hundred and fifty thousand is needed to fully fund this program.

This program was first funded in 1997 at \$300.00 for students at level 1 and 2. The payment was increased in 1999 to \$400.00 per student. Since 1997 over twenty school districts and over 1000 children in North Dakota have benefited from this program.

The following chart lists school districts that have applied for funding for the 2000 - 2001 school year.

NORTH DAKOTA LIMITED ENGLISH PROFICIENT STUDENT PAYMENT PROGRAM - October 2000					
SCHOOL	CONTACT PERSON	PHONE	SCORES		TOTAL 1 & 2'S
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Northern Cass	Helmuth Habermann	874-2322	3	3	6.00
Northwood	Craig Eraas	587-5221	6	1	7.00
Park River	Harold Knoll	284-7164	4	6	10.00
Wahpeton	Norma Nosek	642-5499	3	2	5.00
West Fargo	Louise Dardis	282-3388	44	26	70.00
TOTAL			326	211	540.00

Mr. Chairman and members of the committee, I would like to emphasize to you the importance of this program for small and large school districts in North Dakota. Recently I got a phone call from a principal at Kindred, Jean Peterson, asking for help for a second grader entering the Kindred school who spoke no English. I explained to her the instructional services that were required by law. She asked about financial assistance in order to meet those requirements. The school district has no money in their budget to hire the necessary teacher and purchase materials.

Last fall I worked with the New Salem School District. An immigrant family had settled in the area and the school needed assistance with the children. The principal and teachers were not sure how to help the children and they had not budgeted for the extra services and materials necessary for the children to learn English. Upon testing the children, it was found that only one child qualified for the state funding. Though the dollars were few, they were able to assist in providing some services. I understand the children are doing better in school. One child has a love of horses and a teacher has used this love to help the child learn. The principal has said that there is the possibility of more immigrant families moving into the New Salem area.

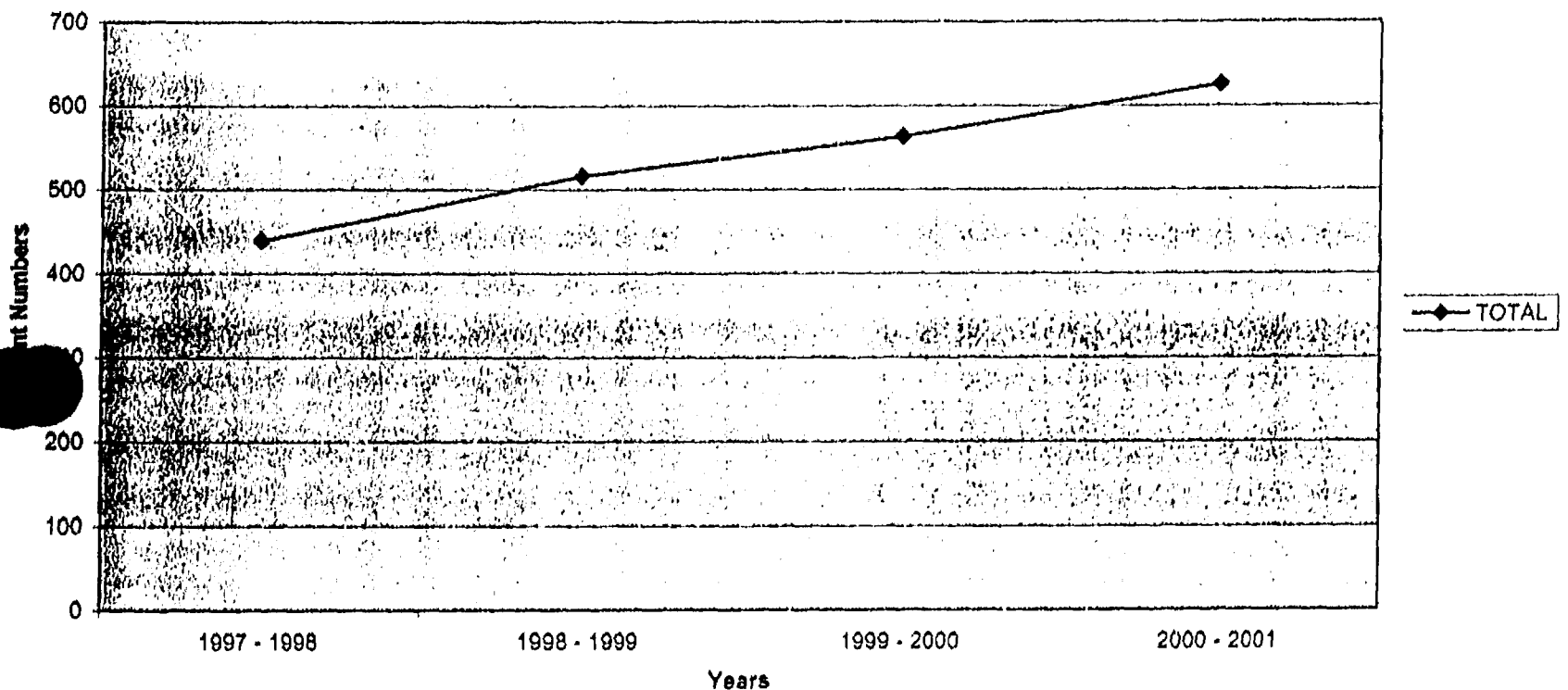
These small schools are legally responsible to provide services for students learning English. The Federal Office of Civil Rights has been working with Grafton Public Schools, mandating services for students learning English as a second language. All of their federal funding is at risk if the services are not provided. Schools in North Dakota impacted by limited English proficient students need help.

This is a program with a high success rate. Giving money to schools to develop strong English language programs allows them to focus quality services where they are needed. In my own work with the Bismarck Public School ESL Program, I have seen students succeed and move on quickly when they have been given strong support in the beginning. Students who are not given the appropriate English language support when needed are more likely to struggle, fail, and ultimately become a greater burden on the educational system.

As we look into the future, we can see that this is a program that will continue to benefit schools in North Dakota. As our overall school enrollment in North Dakota is decreasing at alarming rates, students from different language backgrounds are increasing. The number of students eligible for payment from the state program has increased by approximately ten percent each year.

The chart below shows the growth in numbers for the last several years.

Growth of LEP Students Eligible for State Funding



Our young people are our greatest asset in North Dakota. Building a strong education program for limited English proficient students is a good investment in North Dakota. **House Bill 1321 is greatly needed for the children of North Dakota, but we need to put back the \$350,000.00 that was removed in the House.**

The only other change I recommend is to allow schools to use another language proficiency test other than the Woodcock-Munoz Language Survey to prevent the state from the appearance of giving a specific commercial test preference over others without having gone through a test selection process. I would suggest the following change on line #13 and thereafter when Woodcock-Munoz is mentioned: "As evidenced by a classification of level I using either the Woodcock-Munoz Language Survey or another comparable language proficiency test approved by the Superintendent of Public Instruction...."

Thank you for your time.

TESTIMONY ON HB 1321
SENATE EDUCATION COMMITTEE
MARCH 7, 2001
PATRICIA CLARK, PASTORAL MINISTER AT
CORPUS CHRISTI CATHOLIC CHURCH, BISMARCK

Chairman Freborg and members of the committee,

My name is Patricia Clark. I work at Corpus Christi Catholic Church as Director of Religious Education and Outreach. We have two main outreach projects at our church: our mission in Haiti and our Bismarck Refugee outreach. We collect furniture, household items, and clothing for families arriving through Lutheran Social Services. We also visit the families and help them get adjusted to living and going to school in the United States.

As we help families struggling to understand all the forms coming home from school, and to understand their children's homework assignments, it is here that I see a great need for the money in HB 1321. In the beginning the teachers and ESL teachers aides help them with the forms and homework, but the children move quickly from Level 1 to Level 2 in their English as a Second Language. The parents are unable to help their children with their homework. The parents continue to attend English classes, but because they are working and attending night classes, their emphasis is on conversational English to help them in their jobs and in everyday living. As the children move to Level 3 in their English skills, the districts continue to help them and provide ESL aides for their continued learning experiences, at the districts cost. It is here that I see the need for the money in HB 1321 to help the districts provide the services that are needed.

The Tasholli family arrived in June 1999 from Kosovo. Their new home had been bombed, burned, and destroyed. The father Besim, speaks 4 languages fluently, but English is not one of them. He is a skilled construction worker, so found a job with Northwest Contracting very quickly. His wife Hira has an 8th grade education. She went to work when their 3 boys ages 9, 6, and 5 started to school. She works evenings at the Royal Fork Restaurant as a dishwasher. They send money every month to their families in Kosovo, so they can buy food to live. Hira was able to go to English class at BECEP when the boys were in early childhood education programs last year. Besim attends some night classes in English, when he works shorter days. Now that Hira is working, he cannot attend any classes. I visit the family every week and they call me if they have papers to fill out for school or work. Their oldest son Betim, who is 9 will soon move to Level 3 in English. The school district will continue to provide services for him for a couple more years, before he is fluent and working on grade level with his peers.

Our school districts do a great job providing services and caring for our refugee children and families. Let us help them by putting back into HB 1321 the \$350,000.00 that was removed by the House.

Thank you for your time.

TESTIMONY ON HB 1321
SENATE EDUCATION COMMITTEE
MARCH 7, 2001
By Zdravka (ZeeZee) Zeric
Bismarck

Predsjedavajući Freborg i članovi komiteta:

Moje ime je Zdravka Zeric, ja sam roditelj dvoje djece. Ljudi me zovu Zi Zi.
Chairman Freborg and members of the committee:

I just addressed you in my native language – Serbo-Croatian. I told you that my name is Zdravka Zeric and I am a parent of two children. People call me Zee Zee.

I want to show you how hard it is for our people coming to your state, knowing only our language and expecting you to understand us. I came three years ago from former Yugoslavia. Actually I came from the central part of Bosnia. I came to Bismarck, North Dakota with my husband and two kids. My daughter was seven years old and my son was three.

My daughter was an "A" student in our country and started here with no English. She had a wonderful teacher in the first grade here at Grimsrud School in Bismarck, but she had a hard time understanding English and communicating with the teacher. The most important thing in the beginning was the great help from the English as a second language (ESL) teacher. It helped her communicate with the teacher, do her schoolwork and communicate with the other children. Thanks to the extra help, my daughter quickly became an "A" student again. If she hadn't had ESL help, she would have needed more time to do well in school. My son has also gotten some great help in kindergarten and first grade from the ESL teachers.

I am talking about my own kids just to give you an example of the importance of helping kids with English in the first years of school. In my opinion, the ESL classes are the most important things for all kids who came from different countries. The goal of each parent is to give the best education to their kids and the only way to do that is to give them a good start. I think that we should continue with ESL classes as long as we have kids from other countries in schools.

Thank you for your time. I hope my testimony will help the ESL people to continue to do their good jobs in the future.

**TESTIMONY ON HB 1321
SENATE APPROPRIATIONS COMMITTEE
MARCH 20, 2001**

**By Mari Rasmussen, Assistant Director of Bilingual Education
328-2958
Department of Public Instruction**

Chairman Nething and members of the committee:

My name is Mari Rasmussen and I administer the bilingual and second language programs for the Department of Public Instruction. I am here to offer information on House Bill 1321, a bill relating to payments for limited English proficient students.

House Bill 1321 provides funding for schools that have programs for students learning English as a second language and makes provisions in the Century Code that assure that the funding targets the students most in need. This bill has been passed unanimously by the House Education, House Appropriations, and Senate Education Committees. The only problem has been the fact that the funding was cut. House Bill 1321 increased the State Limited English Proficient Student Payment Program to \$800,000.00, which was an additional \$350,000.00 added to the budget, allowing for a third category of students to be eligible and an increase of \$100.00 for the first category of students. The House Education Committee amended the bill down to the \$450,000.00 that is presently in the Governor's budget. "The Senate can find some funding," we were told. The House Appropriations and Senate Education committees passed the bill with full support, but did not add any funding.

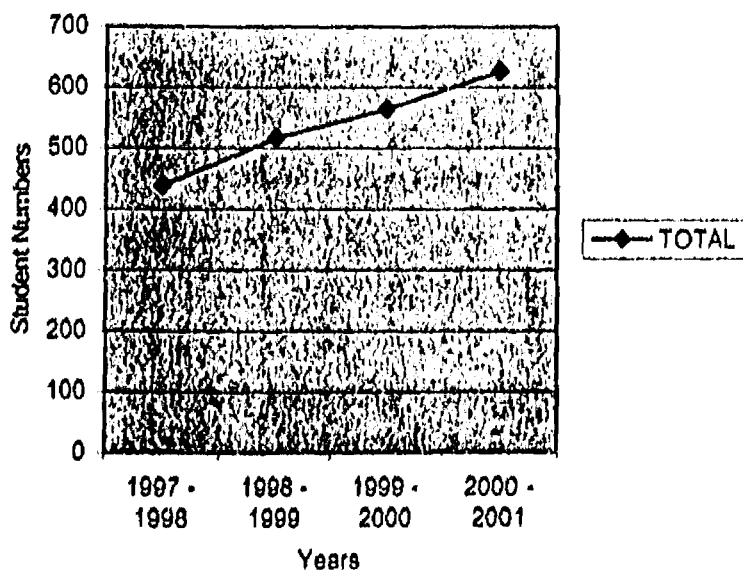
Let me explain some of the changes House Bill 1321 makes in the program and then I will address the fiscal impact and need for the program:

- The primary change HB 1321 makes in section 15-40.1-07.7 of the North Dakota Century Code is to increase the amount of funding school districts in North Dakota are reimbursed for educational costs

of students who are learning English as a second language. School districts would get more money for students who completely lack English and demand the most intensive services and school districts would get funding for an additional category of students who had previously not been eligible. The purpose of this change is to better reflect the costs of the necessary services and has been requested by those who work in school districts. Students who are at the lowest levels require the greatest amount of funding. (See attached chart of levels.)

- The bill also provides a more complete definition of students who are limited English proficient, maintaining the original intention of the legislation that the funding goes to students who have a primary language other than English. There have been some questions on student eligibility over the years because the legislation was not completely clear. A definition in law removes this confusion.
- The bill provides assurances that schools use the funding for English as a second language program costs. Schools applying for funding must use it to provide appropriate services, rather than simply fund general education costs.
- The bill changes a reporting date for school districts submitting applications for funding.

Growth of LEP Students Eligible for State Funding



The North Dakota Limited English Proficient Student Payment Program has been a positive and successful program. A number of educators in North Dakota have testified in the last several months on the positive impact of this program. Unfortunately, the reduction in the amount of funding does not meet the needs of the students. The inserted chart shows the growth in

student numbers for the last several years. If the growth in student numbers stays consistent, \$385,000.00 will be needed for the next biennium to provide \$500.00 for level 1 students; \$220,000.00 will be needed to provide \$400.00 for level 2 students, and \$195,000.00 will be needed to provide \$300.00 for level 3 students. These amounts do not begin to cover the true costs of language services, but provide a reasonable support for the school districts. I would like to stress the fact, though, that any increase to the present \$450,000.00 would be helpful. The funding would be pro-rated according to levels and student numbers.

I would also like to state the fact that this is a program that, potentially, impacts all schools in North Dakota. Though the majority of this funding goes to the larger school districts, many small school districts benefit from the funding. If non-English-speaking children move into any school in North Dakota, the district is eligible to apply for funding. Following is a chart listing the districts benefiting from the state funding this year.

NORTH DAKOTA LIMITED ENGLISH PROFICIENT STUDENT PAYMENT PROGRAM					
- October 2000					
SCHOOL	CONTACT PERSON	PHONE	SCORES		TOTAL 1 & 2'S
			1	2	
Beulah Public	Art Schilke	873-2298	1	2	3.00
Bismarck Public	Teresa Delorme	221-3455	10	22	32.00
Ellendale Public	Hy C J Schlieve	349-3232			0.00
Fargo Public	Michele Vannote	297-1976	222	140	362.00
Grafton Public	Paul Stremick	352-1930	4	1	5.00
Grand Forks Public	Larry Hoiberg	746-2200	28	6	34.00
Jamestown Public	Jacob Wolf	252-0468		3	3.00
Minot Public	Jeffrey Holm	857-4610	2		2.00
New Salem Public	Brent Lauf	843-7846		1	1.00
Northern Cass	Helmuth Habermann	874-2322	3	3	6.00
Northwood	Craig Eras	587-5221	6	1	7.00
Park River	Harold Knoll	284-7164	4	6	10.00
Wahpeton	Norma Nosek	642-5499	3	2	5.00
West Fargo	Louise Dardis	282-3388	44	26	70.00
TOTAL			326	211	540.00

Some schools in North Dakota also receive federal funds, which provide assistance for limited English proficient students but the criteria are very limited and/or competitive. Also, federal funding can only supplement basic educational services, which are a state and local responsibility. Following is a chart showing the federal and state funding school districts are receiving for programs related to the education of students who lack English language skills.

Programs for Limited English Proficient Students in North Dakota 2000 - 2001							
Program	STATE FUNDS	FEDERAL FUNDS					Totals
	State LEP Program - 2001 <i>Estimated Awards</i>	Title VII Bilingual Education Grants		Title VII Emergency Immigrant Education Program	Refugee Children School Impact Grants		
Program Description	Reimburses school districts for costs incurred for services for students who score at level 1 & 2 on an English language test.	Competitive grants for bilingual and English as a Second Language Programs awarded directly from Washington for 3 or 5 years.	Year	Grants awarded on a yearly basis for schools heavily impacted by new immigrant students.	Grants for after school tutoring and extracurricular activities for refugee students. This funding will continue for one more year.	Total federal funding	Total state and federal funding for limited English proficient English as a second language, immigrant & refugee students.
School							
Beulah Public	\$ 1,020.00					\$ -	\$ 1,020.00
Fort Yates Public		\$ 238,000.00	5			\$ 238,000.00	\$ 238,000.00
Bismarck Public	\$ 10,880.00			\$ 9,300.00	\$ 15,000.00	\$ 24,300.00	\$ 35,180.00
Fargo Public	\$ 123,080.00	\$ 134,000.00	4	\$ 75,600.00	\$ 78,000.00	\$ 287,600.00	\$ 410,680.00
Grafton Public	\$ 1,700.00					\$ -	\$ 1,700.00
Grand Forks Public	\$ 11,560.00			\$ 5,200.00	\$ 15,000.00	\$ 20,200.00	\$ 31,760.00
Jamestown Public	\$ 1,020.00			\$ 1,400.00	\$ 4,000.00	\$ 5,400.00	\$ 6,420.00
Minot Public	\$ 680.00					\$ -	\$ 680.00
New Salem Public	\$ 340.00					\$ -	\$ 340.00
Northern Cass	\$ 2,040.00					\$ -	\$ 2,040.00
Northwood	\$ 2,180.00					\$ -	\$ 2,180.00
Park River	\$ 3,400.00					\$ -	\$ 3,400.00
Turtle Mountain Community		\$ 350,000.00	4			\$ 350,000.00	\$ 350,000.00
Twin Buttes Elementary		\$ 150,000.00				\$ 150,000.00	\$ 150,000.00
United Tribes Early Childhood		\$ 150,000.00	2			\$ 150,000.00	\$ 150,000.00
United Tribes - T. J. Elementary		\$ 150,000.00	2			\$ 150,000.00	\$ 150,000.00
Wahpeton Public	\$ 1,700.00			\$ 1,000.00		\$ 1,000.00	\$ 2,700.00
West Fargo Public	\$ 23,800.00			\$ 8,000.00	\$ 11,000.00	\$ 19,000.00	\$ 42,800.00
White Shield Public		\$ 150,000.00	2			\$ 150,000.00	\$ 150,000.00
Totals	\$ 183,600.00	\$ 1,322,000.00		\$ 100,500.00	\$ 123,000.00	\$ 1,545,500.00	\$ 1,729,100.00

House Bill 1321 is a dynamic, powerful bill, which is essential to the North Dakota's educational program. House Bill 1321 is economic development for a state that needs young people (see attached documents). An increase in the appropriation would only serve to strengthen this program, which in turn strengthens the overall foundation aid program for North Dakota students.

Woodcock-Munoz Language Survey

Levels of Cognitive Academic Language Proficiency

Level 5, Advanced English Cognitive Academic Language Proficiency

When compared with others of the same age or grade, a Level 5 individual demonstrates advanced cognitive-academic language proficiency. If provided with monolingual instruction at the subject's chronological age or corresponding grade level, it is expected that a Level 5 student will find the *language demands* of the learning task very easy.

Level 4, Fluent English Cognitive Academic Language Proficiency

When compared with others of the same age or grade, a Level 4 individual demonstrates fluent cognitive-academic language proficiency. If provided with monolingual instruction at the subject's chronological age or corresponding grade level, it is expected that a Level 4 student will find the *language demands* of the learning task manageable.

Level 3, Limited English Cognitive Academic Language Proficiency

When compared with others of the same age or grade, a Level 3 individual demonstrates limited cognitive-academic language proficiency. If provided with monolingual instruction at the subject's chronological age or corresponding grade level, it is expected that a Level 3 student will find the *language demands* of the learning task difficult.

Level 2, Very Limited English Cognitive Academic Language Proficiency

When compared with others of the same age or grade, a Level 2 individual demonstrates very limited cognitive-academic language proficiency. If provided with monolingual instruction at the subject's chronological age or corresponding grade level, it is expected that a Level 2 student will find the *language demands* of the learning task extremely difficult.

Level 1, Negligible English Cognitive Academic Language Proficiency

When compared with others of the same age or grade, a Level 1 individual demonstrates negligible cognitive-academic language proficiency. If provided with monolingual instruction at the subject's chronological age or corresponding grade level, it is expected that a Level 1 student will find the *language demands* of the learning task impossible to manage.

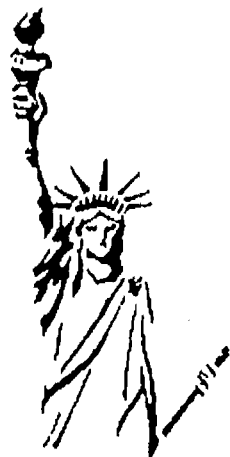
(Woodcock & Munoz-Sandoval, 1993)

NORTH DAKOTA LIMITED ENGLISH PROFICIENT STUDENT PAYMENT PROGRAM - Level 1, 2 & 3

(Estimate of funding based on House Bill 1321 using 2000 - 2001 numbers.)

Current numbers of students funded at \$500.00 for level 1, \$400.00 for level 2 and
\$300.00 for level 3.

SCHOOL	COUNTY	DISTRICT	ADDRESS	CONTACT PERSON	PHONE	SCORES			Total
						1	2	3	
Beulah Public	29	27	205 5th St NW, Beulah ND 58523-6543	Art Schilke	701-873- 2298	1	2	3	\$2,200.00
Bismarck Public	8	1	Riverside Elem School, 406 S Anderson St, 58504-5401	Teresa Delorme	221-3455	10	22	17	\$18,900.00
Ellendale Public	11	40	PO Box 400, 58436-0400	Hy C J Sunlieve	349-3232				\$0.00
Fairmount Public	39	18	PO Box 228, 58030-0228	Bruce Schumacher	474-5469		1	1	\$700.00
Fargo Public	9	1	Eagles Kind Center, 3502 S University Dr, 58104- 6228	Michele Vannote	297-1976	222	140	198	\$226,400.00
Grafton Public	50	3	1548 School Rd, 58237- 1715	Paul Stremick	352-1930	1	4	11	\$5,400.00
Grand Forks Public	18	1	PO Box 6000, 58206-6000	Larry Holberg	746-2200	28	6		\$16,400.00
Jamestown Public	47	1	Washington Elem School, PO Box 269, 58402-0269	Jacob Wolf	252-0468		3	6	\$3,000.00
Minot Public	51	1	Longfellow Elem School, 600 16 St NW, 58703- 1999	Jeffrey Holm	857-4610	2		3	\$1,900.00
New Salem Public	30	7	PO Box 378, 58583-0378	Brent Lauf	843-7846		1	2	\$1,000.00
Northern Cass	9	97	16021 18th St SE, Hunter 58048-9730	Helmuth Habermann	874-2322	3	3	2	\$3,300.00
Northwood Public	18	129	PO Box 250, 58267-0250	Craig Eras	587-5221	1	6	4	\$4,100.00
Park River	50	78	PO Box 240, 58270-0240	Harold Knoll	284-7164	4	6	4	\$5,600.00
Wahpeton	39	37	1505 N 11 St, 58075-3551	Norma Nosek	642-5499	3	2	1	\$2,600.00
West Fargo	9	6	207 Main Ave W, 58078- 1793	Louise Dardis	282-3388	44	28	31	\$41,700.00
TOTAL						319	222	280	\$333,200.00



CURRENT IMMIGRATION ISSUES

A Nation of Prosperity.... A Nation of Immigrants

National Immigration Forum

February 11, 2000

Greenspan Speaks: Immigration Critical to America's Continued Prosperity

In the last few months, Federal Reserve Chairman Alan Greenspan has warned repeatedly that the dangerous shortage of workers in the U.S. could lead to inflation. Chairman Greenspan has suggested on many occasions that immigration could play an important role in meeting this rising demand for workers.

"Under the conditions that we now confront, we should be very carefully focused on the contribution which skilled people from abroad, [as well as] unskilled people from abroad, can contribute to the country, as they have for generation after generation. --- The pool of people seeking jobs continues to decline. At some point, it must have an impact. If we can open up our immigration rolls significantly, that clearly will make [the unemployment rate's effect on inflation] less and less of a problem."

Alan Greenspan, Chairman, Federal Reserve Board

Testimony before the U.S House of Representatives Committee on Banking and Financial Services, July 22, 1999

"... aggregated demand is putting very significant pressures on an ever-decreasing available supply of unemployed labor. The one obvious means that one can use to offset that is expanding the number of people we allow in... So, I think reviewing our immigration laws in the context of the type of economy which we will be enjoying in the decade ahead is clearly on the table in my judgment."

Alan Greenspan, Chairman, Federal Reserve Board

Testimony before Senate Banking Committee, January 26, 2000

PLAINSONG
Sudanese civil
engineer Abdelhak
Elmashit, 42, has
a civil war in his
mind. He is a
member of the
Iowa State
Council on
Intercultural
Education.



NATION

Como Estás, Des Moines?

To fight population drain, Iowa lures immigrants

By TAMMERLIN DRUMMOND



IOWA, 2015. OLD PEOPLE wander aimlessly through virtual ghost towns. Interstate 50 is a wasteland of derelict grain silos and abandoned farms. Buildings stand empty; most factories have shut down.

A postapocalyptic scenario? Hardly. But this grim vision must cross Governor Tom Vilsack's mind when he looks at Iowa's demographic trends. The population, 98% white, is aging at an alarming rate, with younger people moving away and those who remain too old to work the farms and factories. By 2020, 20% of Iowans will be 65 or older. And even if every high school student were to stay, the work force would still decline 3% in the next five years.

Vilsack has a solution: he wants to give Iowa an injection of new blood, in part by attracting immigrants to the state. It may seem an innocuous idea, but in Iowa it is highly controversial.

Iowa grew just 3.3% in the 1990s, compared with 9.6% for the nation as a whole. Part of the state's growth was fueled by the migration of 21,000 immigrants, many of them Hispanic. The 2000 Census figures released last week show that Hispanics, now poised to replace African Americans as the nation's largest minority group, saw their numbers explode in Midwestern states like Wisconsin in the 1990s, while Iowa enjoyed an increase of less than 1% over that time. Vil-

sack wants to change that by accelerating the arrival of Hispanics and other immigrants.

He says it's a matter of survival. "To give you a sense of the magnitude of the problem," Vilsack says, "the fastest growing segment of our population is people over 100."

But a lot of Iowans, it appears, don't want to live in Vilsack's melting pot. This is the fourth whitest state in America, and some people want it to stay that way. Just last week the Iowa legislature began debating a proposal to make English the state's official language. A Des Moines Register poll last year found that 58% of those surveyed oppose Vilsack's plan to bring in more immigrants. "Do we really want to be another California, with all of its immigrant problems?" says Roger Harrison, 68, a retired lawyer from Marshalltown. Given such opposition, Vilsack's move is risky for the first-term Governor, the first Democrat to lead the state in 30 years. But Vilsack, whose approval rating is 65%, says he has little choice. Young people have been fleeing since the farm crisis of the mid-'80s, and there aren't enough bodies in the pipeline to replace the 368,000 soon-to-retire baby boomers. "If we want to save the family farm," says Vilsack, "we have to have people to farm the land."

In 1999, Vilsack appointed a bipartisan group to figure out what to do. The Strategic Planning Council urged officials to use all available means to increase

MELTING POT: Governor Vilsack envisions a multicultural Iowa

Iowa's population. "We've got to fire every bullet," says council chairman David Oman. And so in hopes of adding 30,000 new residents to the population over the next nine years, Vilsack is trying to lure expat Iowans back home. He is hosting receptions around the country for Iowa university alumni. But so far, only about 300 families have returned.

That's what makes the immigrants so important. Vilsack has designated three towns as Model Communities. Their mission: to come up with a blueprint for recruiting immigrants from other states and refugees who might be attracted by Iowa's low cost of living. But that part of Vilsack's plan has run into a prairie fire of opposition. Part of it is prejudice. But that's not the whole story. Iowans have reason to be leery because of unplanned immigration in the mid-'90s, when thousands of Hispanics came to Iowa communities like Marshalltown to work in meat-packing plants. Marshalltown (pop. 26,000) became 12% Hispanic overnight. The monocultural town was totally unprepared. Schools struggled to cope with non-English speakers. A methamphetamine industry sprang up, which police blamed on Mexican gangs. Most of the new arrivals, like Gilberto Ortega, 36, from El Salvador, toiled long hours at jobs nobody else wanted. Ortega, a meat-cutter, supported his wife and two children on \$9 an hour. He says he has been too busy to learn English.

But native Iowans resented new arrivals who didn't assimilate. A group of vets pushed through an English-only resolution. "The tension came because the change was so rapid," says Ken Anderson, president of the Marshalltown Area Chamber of Commerce. Vilsack hopes to avoid repeating past mistakes by taking things slowly.

He has opened two New Iowan Centers—referral agencies providing immigration help and job tips—in Muscatine and Sioux City. Rosa Mendoza, 44, the deputy director of the Muscatine center, says Iowa has come a long way since she moved to the Mississippi river town in 1977. "Everywhere I went, people stared," she says. "It was so bad, I didn't want to go out." Today the town of 23,000

is 12% Hispanic. On Mulberry Avenue, Mexican groceries compete for customers, and the El Cabrito restaurant dishes up *taquitos*. It's a glimpse of Vilsack's vision for a multicultural Iowa. He just has to win over all his citizens.



Response to Question
Tuesday, March 20, 2001
By Mari Rasmussen, Assistant Director of Bilingual Education
328-2958
Department of Public Instruction

Senator Andrist:

In response to your question on the fiscal note on HB 1321, I would like to provide the following explanation. An estimate of 1,970 limited English proficient students in levels 1, 2 and 3 was listed in the fiscal note because that is a total of the estimated number of students that would be eligible for payment for both years of the 2001 - 2003 biennium.

I have enclosed a chart showing how the figures were obtained. A total of 821 students at levels 1, 2 and 3 were listed for 2000 - 2001 school year. Based on past history, students have increased at an average of 10% a year. The actual projected increase, based on current numbers would be 1896 for the two years of the biennium. The figures were rounded up for each level to provide a total amount needed for the biennium of \$800,000.00.

Projection of LEP student numbers into the 2001 - 2003 biennium									
Levels	Rates	Students				Estimated funding based on HB 1321			
		10% increase per year							
		2000 - 2001	2001 - 2002	2002 - 2003	Biennium Total	Total students rounded up			
Level 1	\$ 500.00	319	351	386	737	770	X	\$ 500.00 =	\$ 385,000.00
Level 2	\$ 400.00	222	244	268	512	550	X	\$ 400.00 =	\$ 220,000.00
Level 3	\$ 300.00	280	308	339	647	650	X	\$ 300.00 =	\$ 195,000.00
TOTAL		821	903	993	1896	1970			\$ 800,000.00

Jerry Coleman, Department of Public Instruction, and I can answer any further questions you may have. Thank you.

CC: Chairman Nething
 Senator Holmberg
 Senator Robinson