

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1321
(Representatives Disrud, Hawken, Wentz)
(Senators Holmberg, Lee, Wanzek)

AN ACT to amend and reenact section 15-40.1-07.7 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-12 of the North Dakota Century Code, relating to the payments for limited English proficient students.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. In addition to any other payments provided for by this chapter, each school district is entitled to receive ~~four~~:
 - a. Four hundred twenty-five dollars for each student who has been assessed by the student's school district and found to have negligible limited English language skills, as evidenced by a classification of level I using the Woodcock-Munoz language survey.
 - b. Three hundred twenty-five dollars for each student who has been assessed by the student's school district and ~~determined~~ found to have negligible ~~or~~ very limited English language skills, as evidenced by a classification of level I ~~or~~ II using the Woodcock-Munoz language survey.
 - c. Two hundred twenty-five dollars for each student who has been assessed by the student's school district and found to have limited English language skills, as evidenced by a classification of level III using the Woodcock-Munoz language survey.
2. In order to be eligible for assessment under this section, a student:
 - a. Must be at least five years of age but must not have reached the age of twenty-two;
 - b. Must be enrolled in a school district in this state;
 - c. Must have a primary language other than English; and
 - d. Must have difficulty speaking, reading, writing, and understanding English.
3. In order to be eligible for the payment provided for in this section, a school district must provide an approved program of instruction for students who have negligible limited English language skills, very limited English language skills, or limited English language skills. In order to receive the full payment provided for in this section, a school district must complete the student assessment required by subsection 1 and forward the results to the superintendent of public instruction on or before ~~October twenty-fifth~~ December first of each school year. The superintendent shall distribute the payments no later than May thirtieth of each school year. The superintendent shall prorate payments under this section for any students registering in the school district after ~~October first~~ the start of the school year or departing the school district prior to the completion of the school year.

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1321.

House Vote: Yeas 85 Nays 10 Absent 3

Senate Vote: Yeas 48 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,

at _____ o'clock _____ M.

Secretary of State