

**FIRST ENGROSSMENT
with Conference Committee Amendments****ENGROSSED SENATE BILL NO. 2212**

Introduced by

Senators Bakke, Fischer, Taylor

Representatives Delmore, N. Johnson, Kingsbury

1 A BILL for an Act to amend and reenact section 15.1-38-02 of the North Dakota Century Code,
2 relating to English language learners; and to provide an appropriation.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-38-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-38-02. Program establishment.** The superintendent of public instruction shall:

- 7 1. Appoint a state advisory committee to assist with the establishment and
8 administration of English language learner programs and the state English
9 language proficiency assessment;
- 10 2. Establish standards for English language learner programs;
- 11 3. Establish student caseload criteria for English language learner teachers, deviation
12 from which may not affect the accreditation or funding level of a school district;
- 13 ~~4.~~ 4. Ensure that the English language learner programs use effective research-based
14 methods to teach the students;
- 15 ~~4.~~ ~~5.~~ 5. Assist school districts with the development and administration of English
16 language learner programs and services;
- 17 ~~5.~~ ~~6.~~ 6. Employ a program administrator and other necessary personnel; and
- 18 ~~6.~~ ~~7.~~ 7. Coordinate federal, state, and local funding to maximize the services available to
19 students.

20 **SECTION 2. ENGLISH LANGUAGE LEARNER GRANT.** The superintendent of
21 public instruction shall provide a grant to one regional education association in order that the
22 association may purchase or otherwise acquire instructional materials for the enhancement of
23 English language learner services and provide professional development opportunities
24 pertaining to the provision of English language learner services. The association that receives

1 the grant under this section also must agree to contract with other regional education
2 associations and school districts in the state for the purpose of providing various English
3 language learner services to those entities.

4 **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys from federal
5 fiscal stabilization-other government services funds made available to the governor under the
6 federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, the sum
7 of \$40,000, or so much of the sum as may be necessary, to the superintendent of public
8 instruction for the purpose of providing an English language learner grant to a regional
9 education association under section 2 of this Act, for the biennium beginning July 1, 2009, and
10 ending June 30, 2011.