

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2212  
(Senators Bakke, Fischer, Taylor)  
(Representatives Delmore, N. Johnson, Kingsbury)

AN ACT to amend and reenact section 15.1-38-02 of the North Dakota Century Code, relating to English language learners; and to provide an appropriation.

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

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

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

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

**SECTION 2. ENGLISH LANGUAGE LEARNER GRANT.** The superintendent of public instruction shall provide a grant to one regional education association in order that the association may purchase or otherwise acquire instructional materials for the enhancement of English language learner services and provide professional development opportunities pertaining to the provision of English language learner services. The association that receives the grant under this section also must agree to contract with other regional education associations and school districts in the state for the purpose of providing various English language learner services to those entities.

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

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2212.

Senate Vote:    Yeas    25        Nays    21        Absent    1

House Vote:    Yeas    92        Nays    0         Absent    2

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State