

SENATE CONCURRENT RESOLUTION NO. 4031

Introduced by

Senators Cook, Flakoll, Kelsh, O'Connell, Redlin, Wanzek

1 A concurrent resolution directing the Legislative Council to study the method by which the state
2 funds special education services.

3 **WHEREAS**, Public Law 94-142 requires that all children with disabilities have available
4 to them a free appropriate public education; and

5 **WHEREAS**, Public Law 94-142 requires that a child with disabilities be educated in the
6 least restrictive environment; and

7 **WHEREAS**, Public Law 94-142 requires that a child with disabilities be removed from
8 the regular classroom only when the nature or severity of the disability is such that education in
9 that setting cannot be achieved satisfactorily, even with the use of supplementary aids; and

10 **WHEREAS**, Public Law 94-142 requires that a child with disabilities be educated in the
11 school that the child would attend if not disabled, unless the child's individual education
12 program requires an alternative placement; and

13 **WHEREAS**, funding by the Legislative Assembly for special education has increased
14 from \$24,176,529 for the 1987-89 biennium to \$40,550,000 for the 1997-99 biennium; and

15 **WHEREAS**, many urban school districts are experiencing a significant increase in
16 special education expenditures as families relocate to obtain the best available services;

17 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
18 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

19 That the Legislative Council study the method by which the state funds special
20 education services; and

21 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
22 recommendations, together with any legislation required to implement the recommendations, to
23 the Fifty-seventh Legislative Assembly.