



HB 1188
Senate Education
Monday, March 8, 2021
Senator Don Schaible, Chairperson

Chairman Schaible and Members of the Senate Education Committee:

My name is Roxane Romanick and I'm representing Designer Genes of ND, Inc., as their Executive Director. Designer Genes' membership represents 260 individuals with Down syndrome that either live in our state or are represented by family members in North Dakota. Designer Genes' mission is to strengthen opportunities for individuals with Down syndrome and those who support them to earn, learn, and belong. Outside of our families that choose to homeschool, every child, youth, and young adult (under 22) on our membership list is supported by special education services and have an IEP. The issue of quality special education and general education is highly relevant to our membership.

I am here today to provide testimony on HB 1188. I testified in opposition to the bill in the House, primarily because of the amount of experience a special education teacher would need to supervise a special education technician. I also had concerns about responsibilities regarding progress monitoring and evaluation/assessment. All of this language was removed in an amendment to HB 1188 in the House. I continue to stand in opposition to the bill.

The Individuals with Disabilities Education Act (https://sites.ed.gov/idea/files/HQT_10-4-06.pdf) requires students on IEP's to be taught by highly qualified teaching staff. This bill in its current form does nothing to ensure that this right will be protected. Concerns include: 1) the amount of experience a supervising teacher needs, 2) the number of technicians a teacher can supervise, 3) the delegation of paraprofessional supervision to technicians, 4) the delegation of progress monitoring to technicians, 5) the educational requirements needed to be a technician, and 6) the delegation of

evaluation and assessment for purposes of eligibility determination and progress monitoring to technicians.

Presently, highly qualified special education teachers spend a good deal of their time supervising paraprofessionals and completing paperwork. A striking study by Suter and Giangreco (2009) that exemplifies this very issue, found that paraprofessionals spent more of their work day on instruction (58% of their time) than special education teachers spend on instruction for students in general education settings (39% of their time).¹ This bill will be adding additional supervision requirements on our teachers, thus making it even more likely that the learning needs of our most vulnerable students with Down syndrome and other disabilities' will be addressed by individuals who are not highly qualified.

This bill was promoted as a way to address the shortage of special education teachers in North Dakota. It was described in the House testimony that by creating another rung in the career ladder, that individuals employed as para-professionals will want to engage in additional education and become fully qualified special education teachers. This bill however has no other additional incentives or funding to assist individuals. Typically, paraprofessionals have fewer financial resources than others in the public school system to fund a higher education degree. We have to consider financial incentives that make pursuing higher education a possibility. We also have to consider other programs such as the Peer-to-Peer Leadership class in Bismarck as possibilities to launching students into the disability service field. The program at Century High School has resulted in 25 students (roughly 50%) pursuing higher education degrees in service to people with disabilities.

I do appreciate our state's desperate need to have highly qualified special education teachers in our state, but I continue to be in opposition to the concept of a technician. I'm also in opposition to the fact that there is no further defining language in the bill. Administrative rules will be written internally by Department of Public Instruction, Education Standards and Practices Board, and special education

¹ Suter, J. C., & Giangreco, M. F. (2009). Numbers that count: Exploring special education and paraprofessional service delivery in inclusion-oriented schools. *The Journal of Special Education*, 43(2), 81-93.

personnel. Parents and students will only be given the opportunity to react to what's already been written through public comment.

Designer Genes believes in setting a high bar for students with Down syndrome receiving education in our public schools. That bar includes the needed services and supports that is guaranteed to them by the federal Individuals with Disabilities Education Act. We stand willing to work with the legislative body, the Department, and other stakeholders to figure out other ways to address the special education shortages we are experiencing.

Thank you for your time and I look forward to your questions.

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