

**HOUSE BILL NO. 1530**

Introduced by

Representatives Schneider, Conmy, Davis, Heinert, Jonas, Kiefert, Schreiber-Beck, Hager

Senators Davison, Hogan, Mathern

1 A BILL for an Act to provide for a legislative management study on the circumstances and  
2 needs of special education teachers and the related special education teacher shortage.

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

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - RECRUITMENT AND RETENTION**  
5 **OF SPECIAL EDUCATION TEACHERS.**

- 6 1. During the 2025-26 interim, the legislative management shall consider studying  
7 special education teacher shortages, circumstances, and collective needs. The study  
8 must include:
- 9 a. Special education teacher workload, including:
- 10 (1) Significant and inequitable disparities in caseload numbers and complexities  
11 between educators;
- 12 (2) Addition of students to a special education's workload throughout the year  
13 without consideration of impact on students' needs and teachers' workload;
- 14 (3) Lack of a subjective formula for teaching, workload, and case management  
15 assignments;
- 16 (4) Unsatisfactory policies and formulas adopted without special educator  
17 involvement, adequate training, or with general or vague language; and
- 18 (5) Burdensome workloads threatening compliance with student individual  
19 education plans and state and federal law.
- 20 b. Special education student and staff safety, including:
- 21 (1) The unmet need for accessible, understandable, and effective emergency  
22 and crisis plans, procedures, protocols, and trained personnel available to  
23 implement them;

- (2) Lack of training in de-escalation techniques and preventative strategies and necessary protective equipment;
  - (3) Lack of training in the use of protective equipment and restrictive procedures;
  - (4) Uncompensated time for planning and implementing behavior intervention plans separate from teacher preparation time;
  - (5) Lack of adequate space to meet the needs of students demonstrating violent behavior;
  - (6) The unmet need for additional highly qualified paraprofessional support in situations involving students with violent behavior; and
  - (7) The inequitable treatment of injured staff who must use sick leave or unpaid leave due to injuries that occurred at work.
- c. Special education paraprofessional management duties, including:
  - (1) Additional expectation that education, training, and professional development of paraprofessionals are an obligation of the special education teacher;
  - (2) Additional requirement that special education teachers schedule and annually evaluate paraprofessionals;
  - (3) Inadequate availability of highly qualified paraprofessionals;
  - (4) Inadequate training in management of paraprofessionals; and
  - (5) Failure to provide additional time and compensation for paraprofessional management duties.
- d. Special education paperwork requirements and supports, including:
  - (1) Lack of compensation for extensive federal, state, and disability-related required paperwork;
  - (2) Lack of compensation to attend individual education plan evaluation meetings outside the teacher's workday or during teacher preparation time; and
  - (3) Lack of additional time, training, mentoring, administrative and professional support and assistance necessary to manage mandatory reporting, compliance, and due process issues and requirements.

- 1           e.   Additional or broader considerations, pertinent data review, and plans for
- 2                remediation of inequities, including projected costs and implementation
- 3                timetables.
- 4        2.   The legislative management shall report its findings and recommendations, together
- 5           with any legislation required to implement the recommendations, to the seventieth
- 6           legislative assembly.