



HB 1188
House Education
Monday, January 18, 2021
Rep. Mark Owens, Chairperson

Chairman Owen and Members of the House 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 and youth 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. In its present form, I am asking the committee for a "do not pass". The bill's intent is to address shortages in special education providers across the state and this effort is appreciated. From that perspective, this bill, with amendments, has merit as our families discuss the shortages across the state and how that impacts their child's education.

Below are some of the issues that I believe could be addressed and strengthen the bill:

Definition of Supervising Special Education Teacher – The suggestion is to change the "one-year full-time experience" to "three-year full-time experience". Special education teachers who are in their first and second years of teaching are usually still being mentored by other special education teachers

themselves. Given the level of expertise needed to provide support to a professional that would have responsibilities beyond a typical para-professional will need more experience.

Caseload Maximums – Special education teachers are responsible for case management, direct instruction, creating and maintaining accommodations and adaptations for general education instruction, supervision of paraprofessionals, and home-school communication. At times, they are co-teaching courses as well. From reading the legislation, it is possible that current special education teachers may end up being responsible for additional case management for students on IEP's. It is proposed that the committee consider setting a maximum number of students that would be assigned to a supervising special education teacher.

Analysis of Progress or Lack of Progress – While the bill addresses (Page 2, Line 26 – 28) the documentation and reporting of student progress, it does not address any limitation with this activity under the “may not’s” on Page 3. A suggestion would be to include a “j.” that would read “Analyze and make decisions regarding a student’s progress or lack of progress.”

Certification of Completion for a Special Education Technician – It may be helpful for this to include some type of “grandfathering” clause to move paraprofessionals with extensive experience into these positions.

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 are willing to work with this committee to figure out how 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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