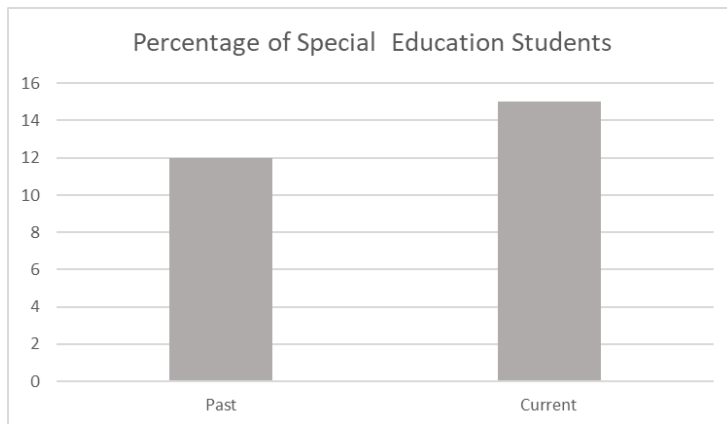


Testimony for Hearing on HB1349
 Primary Sponsor: Eric J. Murphy, District 43

Thank you, Chairman Heinert and my honorable colleagues on the Education Committee. For the record, my name is Eric James Murphy, representative from District 43, Grand Forks.

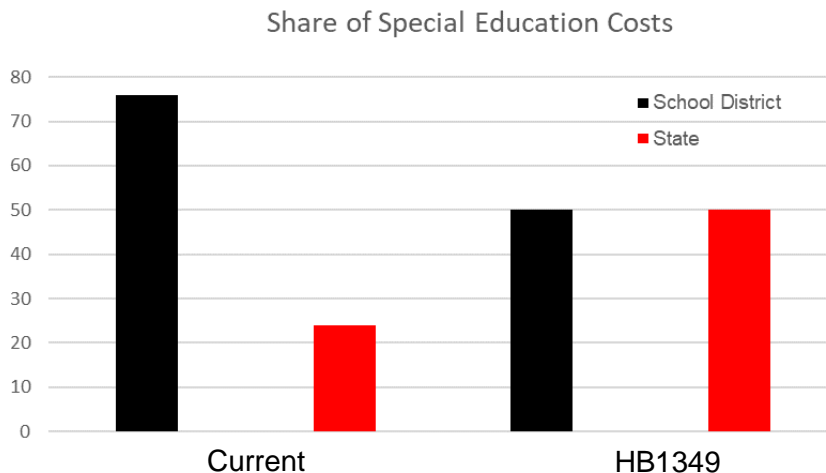
In our school districts across the state there is an ever increasing need to provide educational opportunities for **all** students regardless of their needs. The Education of Handicapped Children Act was passed in 1975 and in 1990 was renamed the Individuals with Educational Disabilities Act (IDEA). This Act is a federal mandate that requires every public school in the United States to provide education for **all** students in the least restrictive environment possible. This law in 2006 was modified to require school districts to use research-based interventions in the process of assisting students with learning difficulties, adding additional costs.

This law also requires that if the assessment of a student indicates that they require special education services, the school must work with a student's parents to develop an Individualized Education Program (IEP). This document is a formal contract that outlines the services and support a school district must provide for a student.



This is the backdrop where we find ourselves today. Just 10 years ago, about 12% of students required an IEP and today the number is between 15-20%, depending upon the state.

This increase in students has resulted in an upward spiraling increase in the costs to provide services contractually required by an IEP as delineated in federal statute. This has continued to increase the financial burden on school districts across North Dakota to provide these services.



While this increase is only about 3-8% depending upon the state, the increased costs are staggering.

Currently, in North Dakota, the costs to provide the services required by an IEP is shared between the state and the school district. At the present time, the distribution of the cost share is about 76% for the school district

and 24% for the state. HB1349 would shift the weighting factor in the funding formula for special education from **0.082** to **0.125** as found in Section 15.1-27-03.1 section j. This would shift the cost burden to parity for the state and each school district, sharing the costs mandated by the IDEA at a 50/50 split.

This bill is not without significant costs and to be honest the fiscal note is a heavy lift at \$103.7M. But what does this mean for our school districts? It means funds will be liberated to help offset other educational missions, including use for increased teacher salaries. We are all aware that teacher salaries in North Dakota are still low, although great gains have been made in the past decade to increase these salaries. **Changing this weighting factor would cause a significant shift in financial resources available for all of our school districts, from the smallest to the largest.**

I know this is a difficult decision and frankly it would be easy to be dismissive of this very simple bill, with an extraordinarily high fiscal note. A bill that merely equalizes the cost share between the state and our school districts for the special education services to provide educational opportunities for our students. We can dismiss it or we can vote a **do pass** in the Education Committee. We can choose to liberate resources through this bill that will enable our school districts resources to be used to enhance the education of our most precious asset, our children. Or we can just say that this change costs too much. The choice is ours and I urge you to send this to the Appropriations Committee with a do pass.

Ladies and gentlemen, I leave this decision in your hands.