

**TESTIMONY ON SB 2351  
HOUSE EDUCATION COMMITTEE**

**March 8, 2023**

**By: Amanda Peterson, Director of Educational Improvement and Support**

**701-328-3545**

**North Dakota Department of Public Instruction**

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Mr. Chairman and Members of the House Education Committee:

My name is Amanda Peterson, and I am the Director of the Educational Improvement and Support office within the Department of Public Instruction. This office oversees Title I, Neglected and Delinquent and Homeless Education Programs, Title IV, safe and healthy school projects, and the comprehensive and targeted support given to our lowest performing schools. Our team at DPI supports K-12 students that are most at-risk, disadvantaged, and in need of support. I am here on behalf of the department to provide information and support in favor of Senate Bill 2351, relating to the data collection system for classroom and hallway clearings. As you are aware, youth behavioral health concerns are a primary concern for all educators, and local school districts have been asking the State for more resources, support, and funding to help combat these complex issues. Currently, the State does not have the authority to collect data to inform the scale of the educational impact related to classroom clearings, nor an accurate idea of the actual need in this area. Every North Dakota public, non-public, and BIE schools receiving federal Title funds must file the

Suspension, Expulsion, and Truancy (SET) Report. The self-reported information collected in this report is used to meet the following statutory requirements:

- Unsafe School Choice Option (USCO) (Title VIII, Part F, Subpart 2, SEC. 8532)
- Every Student Succeeds Act (ESSA) ESEA, Title XIV, Part F – Gun-Free School Act (GFSA)
- Individuals with Disabilities Education Act (IDEA), Part B
- Truant data (NDCC 15.1-20-03.1)

The data is compiled and disaggregated to meet the above statutory and reporting requirements by June 15 of each year and is used to identify persistently dangerous schools and disproportionality as it relates to IDEA. This data provides very limited information about school-based mental and behavioral health needs.

During the course of hearings and actions surrounding SB 2351, Superintendent Baesler, Commissioner Jones, NDCEL, and Senate Legislators worked in partnership to draft amendments to respond to the concerns brought forth by those initially opposed to this bill. Throughout my testimony, I seek to walk you through those changes.

First, this bill acknowledges that NDDPI will collect the information in a data collection system with the least amount of disruption or challenge to local districts. Then, NDDPI will deliver the information directly to the department of health and

human services, as they have the appropriate services to meet school's needs in this area. The necessity of having a clear and consistent data collection method will ensure that the information is accurate and easily evaluated by the State for timely action. Additionally, this bill was also amended to include a requirement that both the department of public instruction and the department of health and human services will report to their respective standing committees actions that have been taken under this section, in order to ensure that there is accountability to all stakeholders.

In addition, originally, the bill was written to differentiate between students with disabilities and those without disabilities. However, previous testimony cautioned legislators and agency officials that identifying only students with disabilities could lead to discriminatory policies and/or actions. Therefore, the bill was amended to include the number of students, their ages, and a description of the behavior that caused the room clearing to help provide the minimum information required that could lead to the appropriate resources being determined. At present, some local school districts are already collecting data that makes sense in their local context to respond to behavioral health needs related to classroom room clearing, but many school districts do not collect any data and can only provide anecdotal information. Those districts that do collect data, do not share that data with the state in a consistent or uniform time or manner. Then, those districts are asking the state to provide more assistance and support in this area. In order for the State to do this,

the state needs data to deliver effective and responsible action. This bill does that; it provides consistent data in real-time so that the department of health and human services can deploy resources and supports in a targeted manner, as the scatter-shot approach works for no one.

Chairman Heinert and Members of the Committee, this concludes my prepared testimony, and I will stand for any questions you may have.