



SPECIAL EDUCATION FUNDING COMMITTEE

Wednesday, March 4, 2026
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative David Richter, Chairman, called the meeting to order at 9:00 a.m.

Members present: Representatives David Richter, LaurieBeth Hager, Karla Rose Hanson, Jim Jonas, Scott Louser*, Eric J. Murphy, Anna S. Novak; Senators Michelle Axtman, Todd Beard, Josh Boschee; Citizen Members Brandon Baumbach, Brandt Dick, Lindsey Dirk, Justin Fryer, Shawn Huss, Rhandi Knutson, Carly Retterath, Beth Slette, Sheri Twist

Members absent: None

Others present: Nick Archuleta, North Dakota United; Aimee Copas, North Dakota Council of Educational Leaders; Cody Stoesser*, South Dakota Department of Education; Mary McCarvel-O'Connor, Department of Public Instruction

See [Appendix A](#) for additional persons present.

**Attended remotely*

It was moved by Representative Jonas, seconded by Representative Murphy, and carried on a voice vote that the minutes of the November 5, 2025, meeting be approved as distributed.

SPECIAL EDUCATION TEACHER SHORTAGE STUDY

Ms. Amber Haskell and Mr. Matt Liebel, Field Consultants, North Dakota United, provided information (Appendices [B](#), [C](#), [D](#), and [E](#)) regarding the results of two statewide special education surveys related to the issues facing special education staff.

Ms. Haskell noted:

- In December 2023, North Dakota United directed a member survey to K-12 special education teachers, paraprofessionals, early childhood special education teachers, therapists, and school psychologists. The survey results indicated 86 percent of respondents feel overwhelmed by their special education workload and 44 percent are considering leaving special education.
- North Dakota United organized the Special Education Collective, which developed an additional survey sent to respondents between October 2025 and January 2026. The survey addressed four domains: paperwork requirements and supports, workload, student and staff safety, and paraprofessional management.
- Survey results included requests for appropriate staffing, manageable caseloads, and competitive compensation.

Mr. Liebel noted survey results included requests for caseload caps, weighted caseload systems, behavioral specialists, and clear guidance for determining whether a school setting is appropriate for a student.

Committee members expressed interest in reviewing additional information related to the frequency and severity of injuries sustained by special education staff at work.

In response to questions from committee members, Ms. Haskell and Mr. Liebel noted:

- Due process paperwork is required by federal law.
- Salary schedules, which are based on experience and education, typically do not include additional compensation for special education teachers compared to general education teachers.
- Salaried teachers often are compensated with stipends for duties outside contracted hours, such as advising extracurricular activities.
- If special education funding increased, school districts could hire additional special education staff to support overwhelmed staff.

Mr. Nathan Horgeshimer, Special Education Teacher, Killdeer High School, provided information ([Appendix F](#)) regarding special education teacher recruitment. He noted the committee may wish to consider establishing caseload limitations and requiring dedicated time during contracted hours to complete due process paperwork.

In response to questions from committee members, Mr. Horgeshimer noted:

- Students in kindergarten through grade 3 exhibit violent behaviors more frequently than older students.
- Due process paperwork is a significant deterrent to the recruitment of special education teachers.

Ms. Alexis Rasset, Special Education Teacher, Mandan High School, provided information ([Appendix G](#)) regarding special education case manager demands. She noted special education teachers fulfill three roles: instructional leader and data analyst, due process and compliance manager, and supervisory and collaborative lead.

In response to a question from a committee member, Ms. Rasset noted the due process paperwork requirements and increase in behavioral issues discourage people from committing to a career in special education.

Committee members noted if student behaviors are a manifestation of the student's disability, the student may not be expelled for the behavior pursuant to federal law. However, the student may be placed in a more restrictive setting and a behavior improvement plan may be implemented.

Ms. Mary McCarvel-O'Connor, Director, Office of Specially Designed Services, Department of Public Instruction, provided testimony related to Goalbook, which is an artificial intelligence-enhanced program that assists special education staff with instructional planning and due process paperwork.

Ms. Jessica Van Winkle, Special Education Teacher, Horizon Middle School, provided information ([Appendix H](#)) regarding the challenges of recruiting and retaining paraprofessionals. She noted low compensation and lack of benefits such as health insurance may deter paraprofessionals from continuing in the role.

Mr. Nick Archuleta, President, North Dakota United, clarified North Dakota United only sought to provide information in its presentation; the entity has not drafted legislation for the committee to consider. He noted the primary factor affecting recruitment and retention is salary, but concerns regarding safety and paperwork also are significant factors affecting recruitment and retention.

Dr. Aimee Copas, Executive Director, North Dakota Council of Educational Leaders, provided testimony related to implementing artificial intelligence to address issues facing special education staff.

Dr. Elisa Diederich, Director of Special Education, Grand Forks Special Education Unit, provided information regarding injury challenges and student settings. She noted:

- Most special education students are in an educational environment known as Setting A where they spend 80 percent or more of their time in a general classroom.
- Students across the state qualify for Setting D, which is a separate building. However, very few school districts have a building designated as Setting D.

Committee members noted:

- A regional approach for Setting D schools, similar to the model used for Career and Technical Education Centers, is appropriate for the state due to its rural nature.
- In addition to access to a designated building for a Setting D school, school districts require access to therapists, behavior analysts, school psychologists, and other contracted services.
- Placements are not permanent. School districts move students to a less restrictive environment when appropriate.
- Addressing the need for Setting D facilities in the state would significantly support recruitment and retention efforts.

SPECIAL EDUCATION FUNDING STUDY

Mr. Cody Stoeser, Division Director, Division of Finance and Management, South Dakota Department of Education, provided information ([Appendix I](#)) regarding special education funding in South Dakota. He noted:

- The three primary sources of revenue for special education are property tax revenues, state aid, and federal funding.
- The state aid amount is the difference between the total special education school district need and the local effort for special education provided by property taxes.
- The total special education need for a school district is based on six levels of disability and the number of special education students enrolled the previous year.
- The extraordinary cost fund also is available if the sum of property taxes, state aid, and federal revenues does not cover the estimated district cost.

Committee members expressed interest in learning more about:

- The amount of funding appropriated to school districts for special education as compared to the actual costs of special education.
- Setting D and Setting E educational placements for students with disabilities.
- How funding based on categorical disabilities would affect school districts.
- Whether weighted factors in the funding formula reflect the increase in students with disabilities.
- The actual reimbursements for high-cost special education students.

No further business appearing, Chairman Richter adjourned the meeting at 2:05 p.m.

Sheila M. Sandness
Senior Fiscal Analyst

Liz Fordahl
Counsel

ATTACH:9