

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;

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

Sixty-ninth
Legislative Assembly

- 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.