

Good morning, Chairman Beard and members of the Senate Education Committee. My name is Brenda Wiesner, and I appreciate the opportunity to speak in support of Senate Bill 2400. I would also like to extend my gratitude to Senator Axtman for sharing a copy of this important legislation with me. Having had the chance to review it, this Bill raises an important opportunity to discuss the need for a robust partnership between public and nonpublic schools for the benefit of students with special needs.

I understand that this Committee has heard testimony over the past 2 days regarding several school choice bills. Before I begin, I want to clarify my position: I do not believe public education is inferior to private education. My intent today is not to advocate for universal school choice but to highlight the specific needs and considerations of special needs students - particularly those whose behavioral and academic requirements surpass the resources available within the public education system. These students are in a unique position to benefit from school choice legislation.

My upbringing was shaped by my parents' involvement in a fundamentalist religious movement that opted out of public education in favor of homeschooling with a limited curriculum. I was determined to pursue higher education when I left this high-control environment at 23. I obtained my Associate of Applied Science (AAS) Degree in Nursing from Lake Region State College in Devils Lake, North Dakota. I received a Bachelor of Science in Nursing (BSN) before commissioning as an officer and Intensive Care registered nurse in the U.S. Air Force. Upon separation from active-duty service, I obtained a Master of Business Administration (MBA) specializing in project management. I returned to North Dakota to work in a strategic and operational planning capacity for the Fargo VA Health Care System. I am a full-time student again, working on my Master of Nursing (MSN) as a Psychiatric Mental Health Nurse Practitioner (PMHNP). In addition to my studies, I also serve as an adjunct Nursing Instructor for Lake Region State College, where I can share my knowledge and experience with the next generation of nurses. Education is important to me. It drives economic growth, enhances community well-being, and prepares future generations for success.

Having missed out on a K-12 public education, I was thrilled to enroll my daughter, Quinn, in the West Fargo School District. Quinn is a complex child diagnosed with autism spectrum disorder (ASD), attention-deficit/hyperactivity disorder (ADHD), anxiety, depression, an unspecified mood disorder, and hyperlexia. Since the age of three, she has required extensive support, including speech therapy, occupational therapy, and applied behavior analysis (ABA) therapy at Full Circle Pediatric Solutions. Although she participated in the public early childhood special education (ECSE) program and later transferred to Brooks Harbor for kindergarten and first grade, Quinn struggled to thrive in the public school environment. Ultimately, the decision was made to transfer her to a specialized learning center (SLC) at Willow Park, where her peers were 5th and 6th graders who also had significant behavioral challenges. Unfortunately, this led to escalated problem behaviors on Quinn's part, resulting in a lack of measurable academic gains and multiple suspensions from school. Her teacher reported Quinn was engaging in problem behavior 90% of her day and was tolerating adult-led instruction for less than 30-second intervals.

When my need to leave my full-time job arose to care for Quinn due to multiple suspensions, we began exploring alternative educational options. Despite 1:1 paraprofessional support, Quinn was imitating the problematic behaviors of her peers, which often manifested as aggression and violence toward others, and she was making no measurable academic gains. The only viable private education option in Fargo for a child with complex special needs was Full Circle Academy (FCA), a nonprofit 501(c)(3) private school recognized by the North Dakota Department of Public Instruction. Founded in 2020, FCA is dedicated to serving K-5 special needs children who require individualized support for their behavioral and academic needs.

FCA welcomed Quinn as a student, but the parents' portion of the annual tuition of over \$15,000 presented us with a significant financial challenge. During her Individualized Education Program (IEP) meeting, we learned that our options were limited: either pay out of pocket or pursue legal action against the school district to cover her tuition. We opted not to take the due process route, as we wanted to maintain a collaborative relationship with the supportive team that had worked with Quinn.

In August of 2023, we enrolled Quinn as a student in FCA. She began receiving educational ABA services to support behavior reduction and skill acquisition that was impeding her academic progress. In addition to her academic ABA, she received behavior rehabilitation services, skilled OT, and SLP. In the private school setting, Quinn's special education teacher (SPED-T) and her Board-Certified Behavioral Analyst (BCBA) work together to conduct functional behavior assessments to identify the underlying causes of Quinn's problem behaviors. Together, they create an individualized behavior intervention plan (BIP) that outlines strategies and techniques to address and reduce problem behaviors, promote positive behavior, and enhance learning outcomes. Quinn's BCBA works directly with her in the private school setting for 3 hours weekly. This 1:1 interaction helps her BCBA to develop targeted interventions that reduce problem behavior and promote skill acquisition and learning.

In contrast, a BCBA in the public education setting supports hundreds, if not thousands, of students, precluding them from providing direct 1:1 observation on a routine basis. Quinn is supported by 1:1 staff at all times. Every staff member who supports Quinn has completed specific training in ABA. Instead of being supported by paraprofessionals whose training varies widely, Quinn is supported by Registered Behavior Technicians (RBTs) who are certified in ABA therapy. While paraprofessionals address broader educational needs, supporting student learning and engagement across various subjects and activities, RBTs focus specifically on behavior intervention and support, using ABA techniques to modify behavior and improve learning outcomes.

The differences in behavioral and academic support in public versus private settings may appear subtle, but they have profoundly impacted our family. Since attending FCA, Quinn has thrived in an environment where her behavioral intervention plan and curriculum are tailored to her specific needs. Her problem behaviors have decreased to less than 10% of her day, and she can now engage in adult-led instruction for longer periods. She recently completed her first standardized testing, showing she is about a full grade behind but has demonstrated measurable academic gains. We are optimistic that she will close this gap over the next year.

FCA is uniquely equipped to help Quinn develop social skills and apply them in community settings. Unlike her time in public education, where she was restricted to a single SLC room for safety reasons, FCA offers access to a shared classroom, individualized instruction, and participation in daily community outings. Quinn has practiced her social skills in various environments, including music classes, art, swimming, Taekwondo, and equine-assisted learning. These experiences have helped her develop coping strategies and problem-solving skills, improving her overall behavior and learning. I have also been able to return to the workforce since FCA does not suspend children for behavioral issues, a significant factor in our financial planning as we navigate private school expenses. We hope that by 5th grade, Quinn will no longer require the intensive support she currently receives, and she will have acquired the behavioral and academic skills needed to reintegrate into the public school system.

Senate Bill No. 2400 establishes an education savings account (ESA) program in North Dakota, allowing eligible students to use funds for qualified educational expenses at nonpublic schools or approved educational services. This option can provide invaluable support for special needs children who require alternatives beyond public education. Access to funding for needed services could alleviate the current pressures on public schools, such as teacher recruitment and retention challenges, burnout, paraprofessional shortage, student aggression and violence, and disruptive learning environments.

While the public school system excels at providing a free, fair education for many, some children have complex needs and behavioral and academic challenges that exceed available resources. In these cases, an ESA program could ensure that special needs children have access to private education settings with specialized staff prepared to address their challenges, ultimately improving outcomes for special needs children and easing the strain on public education.

In full transparency, as presented, this Bill would not make a significant financial difference for our family due to the means-testing component. The funding would cover less than 7% of our out-of-pocket tuition expenses. I urge the Committee to consider means-testing exemptions in future legislation for families of special needs children who have earnestly attempted public education and are enrolled in one of the North Dakota Medicaid waiver programs due to their child's disability. I also advocate for future legislation that holds private health insurance companies responsible to help cover the cost of educational ABA in both public and private settings.

Senate Bill No. 2400 may not be a perfect solution, but it represents a vital step forward. I urge you to consider supporting this bill as we work to strengthen and develop public-private partnerships for education in North Dakota. The issue of school choice for complex, special needs children demands our attention, and together, we can create brighter futures for these students and their families.

Thank you for your time. I welcome any questions you may have.

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