

Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025

HOUSE BILL NO. 1530

(Representatives Schneider, Conmy, Davis, Heinert, Jonas, Kiefert, Schreiber-Beck, Hager)
(Senators Davison, Hogan, Mathern)

AN ACT to provide for a legislative management study on the circumstances and needs of special education teachers and the related special education teacher shortage.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - RECRUITMENT AND RETENTION OF SPECIAL EDUCATION TEACHERS.

1. During the 2025-26 interim, the legislative management shall consider studying special education teacher shortages, circumstances, and collective needs. The study must include:
 - a. Special education teacher workload, including:
 - (1) Significant and inequitable disparities in caseload numbers and complexities between educators;
 - (2) Addition of students to a special education's workload throughout the year without consideration of impact on students' needs and teachers' workload;
 - (3) Lack of a subjective formula for teaching, workload, and case management assignments;
 - (4) Unsatisfactory policies and formulas adopted without special educator involvement, adequate training, or with general or vague language; and
 - (5) Burdensome workloads threatening compliance with student individual education plans and state and federal law.
 - b. Special education student and staff safety, including:
 - (1) The unmet need for accessible, understandable, and effective emergency and crisis plans, procedures, protocols, and trained personnel available to implement them;
 - (2) Lack of training in de-escalation techniques and preventative strategies and necessary protective equipment;
 - (3) Lack of training in the use of protective equipment and restrictive procedures;
 - (4) Uncompensated time for planning and implementing behavior intervention plans separate from teacher preparation time;
 - (5) Lack of adequate space to meet the needs of students demonstrating violent behavior;
 - (6) The unmet need for additional highly qualified paraprofessional support in situations involving students with violent behavior; and
 - (7) The inequitable treatment of injured staff who must use sick leave or unpaid leave due to injuries that occurred at work.
 - c. Special education paraprofessional management duties, including:

- (1) Additional expectation that education, training, and professional development of paraprofessionals are an obligation of the special education teacher;
 - (2) Additional requirement that special education teachers schedule and annually evaluate paraprofessionals;
 - (3) Inadequate availability of highly qualified paraprofessionals;
 - (4) Inadequate training in management of paraprofessionals; and
 - (5) Failure to provide additional time and compensation for paraprofessional management duties.
 - d. Special education paperwork requirements and supports, including:
 - (1) Lack of compensation for extensive federal, state, and disability-related required paperwork;
 - (2) Lack of compensation to attend individual education plan evaluation meetings outside the teacher's workday or during teacher preparation time; and
 - (3) Lack of additional time, training, mentoring, administrative and professional support and assistance necessary to manage mandatory reporting, compliance, and due process issues and requirements.
 - e. Additional or broader considerations, pertinent data review, and plans for remediation of inequities, including projected costs and implementation timetables.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the seventieth legislative assembly.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1530.

House Vote: Yeas 84 Nays 7 Absent 3

Senate Vote: Yeas 46 Nays 1 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State