



The Council

Special Education Funding Committee

The Special Education Funding Committee held its fourth meeting on May 6, 2026. The committee received information from the Department of Public Instruction regarding the latest student performance data on statewide reading and mathematics assessments for students with disabilities compared with the same data for students without disabilities. The Kindergarten through Grade Twelve Education Coordination Council set an aspirational goal to reduce disparity in achievement for students with disabilities by 12 percent each year for 5 years. The data indicates a reduction in disparity has occurred more incrementally over the past 5 years. The presentation indicated a desire to focus on increasing the number of students who are approaching proficiency and decrease the number of students whose assessments are in the novice range.

The committee received information from Grand Forks Public Schools demonstrating the need for adjustments to the special education funding formula. The number of students with disabilities in Grand Forks Public Schools has increased by 43.6 percent over approximately a decade while the increase in the total student population increased by 6.2 percent. The special education weighting factor is applied to the total student population. While costs for providing special education services have risen, state aid has not increased at the same rate. The resulting gap in funding is paid for with local funding sources. Grand Forks Public Schools recommends considering a cost-based reimbursement model to respond to the costs of funding special education services.

The committee received information from Wahpeton Public Schools demonstrating the school district also is experiencing a significant gap between special education revenue based on the funding formula and the actual cost of providing federally required services to students with disabilities. Wahpeton's special education expenditures have increased by more than \$368,000 over 3 years while state funding has increased by nearly \$78,000 over 3 years. The increase in special education costs is driven largely by the growing need for highly specialized staff including speech-language pathologists, board-certified behavior analysts, and special education teachers. A representative of Wahpeton Public Schools recommended considering a reduction in the excess cost threshold from four to three times the state average cost of education per student or increasing the special education weighting factor from 0.088 to 0.174 to reflect actual school district expenditures.

The committee discussed a variety of approaches to improve special education funding and the provision of special education services, exploring a variety of ideas to better serve students with disabilities.

The Individuals with Disabilities Act (IDEA) is a federal law enacted to ensure children with disabilities in public schools receive services tailored to them through an Individualized Education Program (IEP). The Legislative Management formed the 2025-26 interim Special Education Funding Committee to study statewide special education challenges, including teacher shortages, workloads, safety concerns, paraprofessional management, paperwork burdens, and inequities affecting both staff and students. The committee also is reviewing special education funding models and student proficiency disparities to develop policy and funding recommendations that improve services, outcomes, and system accountability. For more information on special education in North Dakota, visit <https://www.nd.gov/dpi/education-programs/special-education>.

Upcoming Meetings

May

13 Protection and Victim Services
Tribal and State Relations

27 Human Services

June

2 Energy Development and Transmission

3 Higher Education Funding Review

10 Water Topics Overview

Legislative Procedure and Arrangements

11 Administrative Rules

17 Agriculture and Water Management

Legislative Audit and Fiscal Review

24 Budget Section

EMPLOYEE BENEFITS



Employee Benefits Programs Committee

The Employee Benefits Programs Committee held its second meeting of the interim on May 7, and received information from the Public Employees Retirement System, the Office of Management and Budget, and Job Service North Dakota regarding the committee's study of state employee compensation approved in House Bill No. 1580 (2025).

The committee approved a motion to recommend to the Legislative Management that Joint Rule 211 be amended to make clarifying changes related to the procedure for submission and introduction of measures providing for health insurance mandates.

North Dakota Century Code Section 54-35-02.4 provides the Employee Benefits Programs Committee must take jurisdiction over a legislative proposal that would fiscally impact the retirement programs or retiree health plans of state employees or employees of any political subdivision. During the meeting, the committee approved motions to take

jurisdiction over 18 of the 19 bill drafts considered. The Public Employees Retirement System and the Retirement and Investment Office will request actuarial analyses for each of the 18 bill drafts. The reports will be provided to the committee at a future meeting, at which time the committee will consider favorable, unfavorable, or no recommendation motions for each bill draft.



Did You Know?

The Legislative Council

Originally created in 1945 as the Legislative Research Committee, the agency was renamed in 1969 as the Legislative Council to refer to the staff more accurately. Research is an integral part of the duties of the Legislative Council staff, but the duties have expanded over the years. What began as 11 statutory members of the Legislative Assembly overseen by a director in 1947, has morphed into a staff that consists of attorneys, accountants, researchers, policy analysts, and administrative staff.

The Legislative Council has five divisions that work together to provide a wide range of services to legislators, other state agencies, and the public. The Legal Services Division drafts bills and resolutions, staffs interim committees, prepares legal research and amendments, reviews legislation for conflicts, interprets legislative rules, and manages publication of Century Code and Session Laws. In addition, members of the division maintain the official historical records of the Legislative Assembly. The Fiscal Services Division provides budget and financial expertise by staffing appropriations committees, analyzing executive budget recommendations, preparing fiscal notes, reviewing audits, and tracking statewide financial data. The Policy and Program Evaluation Division provides subject matter research and evaluates state programs and functions to support improved government performance. The Information Technology Services Division supports all legislative technology, including networks, applications, chamber systems, websites, broadcasting, and data systems. The Administrative Services Division handles front-line support, meeting setup, document quality control, session preparation, database and website management, photography and design services, and assists in the preservation of legislative documents.