

Summary Report

September 11, 2025

North Dakota IDEA Advisory Committee



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North Dakota IDEA Advisory Committee Position Statement on a Unified System of Education

North Dakota shall have a seamless education system that is responsive to the needs of all children, adolescents, and young adults, and their families. Parents and students must be given the opportunity to participate as full partners in all educational endeavors. We must build the capacity in general education for all children, while supporting each individual student's rights and the gains made since the passage of federal legislation in special education. In such a system, all children reap the benefits of a free appropriate public education through effective, research based, instructional programs and practices based on equitable standards with accountability and high expectations for all.

Approved by the ND IDEA Advisory Committee on September 21, 2001.

ABOUT THE ADVISORY COMMITTEE

The IDEA Advisory Committee is a committee that works to improve special education in North Dakota. The IDEA Advisory Committee advises the North Dakota Department of Public Instruction on the unmet educational needs of students with disabilities, on corrective action plans, and on developing and implementing policies to improve the coordination of services to these students, reviews and comments on North Dakota's Annual Performance Report, on proposed special education regulations, and helps the North Dakota Department of Public Instruction develop and report information that is required by law to the U.S. Secretary of Education.

The functions of the North Dakota IDEA Advisory Committee are to:

- Advise the NDDPI of unmet needs within the state in the education of children with disabilities;
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- Advise the NDDPI in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of IDEA 20 U.S.C §1418;
- Advise the NDDPI in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA; and;
- Advise NDDPI in developing and implementing policies relating to the coordination of services for children with disabilities.

MEMBERSHIP

The membership of the advisory committee includes select organizations that are specifically focused on the needs of individuals with disabilities, parents of children with disabilities (ages birth through 26), and individuals with disabilities. Parents of children with disabilities and individuals with disabilities are vital members who represent a majority of the committee. The committee's composition aims to include all major stakeholders who can provide resources and support for individuals with disabilities. Members are appointed by the superintendent for three-year terms beginning in September of each year. Committee members must include individuals who represent the following areas:

- Parents of individuals with disabilities (ages birth through 26)
- Individuals with disabilities
- A teacher
- An administrator of programs for children with disabilities.
- A State or local education official who carry out activities under subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act.
- A representative of an institution of higher education that prepares special education and related services personnel.
- A representative of other State agencies involved in financing or delivery of related services to children with disabilities.
- A representative from a state child welfare agency responsible for foster care.
- A representative of a vocational, community, or business organization concerned with the provision of transition services.
- A representative from a state juvenile and adult corrections agency.
- A representative of private and public charter schools.

STATE ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN WITH DISABILITIES

2024-2025

CHAIR: Christopher Larson
VICE CHAIR: Dr. Nicole Reybok

CONSUMERS (2)

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HIGHER EDUCATION REPRESENTATIVE (1)

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MEMBERS AT LARGE (1) **CONSUMER/ADVOCATE GROUPS**

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*Also a parent representative.

COLLABORATIVE EFFORTS

In North Dakota, the lead agency responsible for services for children with disabilities from birth through age 2 (IDEA, Part C) is the Department of Human Services. The lead agency responsible for services for children with disabilities from age 3 through 21 (IDEA, Part B) is the Department of Public Instruction. Since September 2002, the ND Interagency Coordinating Council (IDEA, Part C) and the ND IDEA Advisory Committee (IDEA, Part B) have recurrently held joint meetings.

YEAR IN REVIEW

The IDEA Advisory Committee held regular quarterly meetings throughout the year. Complete minutes are available on the Department's website.

Meeting Summary: September 12, 2024

John Copenhaver from TAESE held new IDEA/ICC Advisory member training.

IDEA Annual Report Approval – Dr. Patti Mahar

The IDEA Advisory Committee approved the IDEA Advisory Annual Report. Brenda Ruehl made a motion, and Chris Larson seconded the motion.

Part B & Part C Updates - Jackie Adusumilli & Mary McCarvel-O'Connor

Discussion

Part C—Meet the requirements on the SPP/APR submitted in February 2023. Part C has met these requirements for the last five years and is currently going through its DMS monitoring, too.

Part B – Needs Assistance on the SPP/APR submitted February 2023. North Dakota Part B has been in Needs Assistance for two or more consecutive years. This is North Dakota's third year for Needs Assistance.

Results

- Participation and scoring Basic or above on the National Assessment of Educational Progress
- Dropping Out
- Graduating with a High School Diploma

Compliance

- Secondary Transition – changes have been made in Tienet (online system) to help prevent noncompliance in this area.

Transition from C to B – Angela McSweyn & Jordan Anderson

Discussion

Part C and Part B have been working to revise the Understanding Early Childhood Transition: A Guide for Families and Professionals. There is a parent and professional guide combined. Based on the transition workgroup's feedback, the parent guide is going to be more parent-friendly with checklists and additional resources for when children are not eligible for Part B services. The workgroup includes Part C, Part B, parents, Pathfinder Services, and an Experienced Parent. Professional guidance will not change much. It will be more to the point, including timeline requirements and processes. NDHHS is finalizing the draft and will submit it to leadership for review as well as graphic design. Missi Baranko, Uspire ND, suggests: Add

examples of people who can be invited to the IEP meeting, including childcare providers or others. If ICC/IDEA members are interested in reviewing the draft, please reach out to Jordan, Jackie or Angela.

Annual Dispute Resolution Report – Lea Kugel

Discussion

2023-24 school year:

18 state complaints submitted

13 state complaint investigations

- As of 7/1/24, 13 complaints were investigated, and 1 is currently being investigated
24 issues identified
- As of 7/1/24, 23 issues were investigated, and 1 is currently being investigated

8 violations against the school district as of 7/1/24.

1 more violation could be identified, but it will roll over to next year's data.

“The Department’s goal with this investigation and report is to build capacity among all participants in the special education process and to provide opportunities for professional growth to educators. The department views the complaint process as an opportunity for participants in the IEP process to learn about special education, identify points for improvement, and tap available resources, ultimately for enhanced outcomes for students.”

Parent call logs:

- IEP Questions, concerns, not following
- Assessment
- Accommodations
- Homeschool
- Bullying

Are some of the issues with the complaints due to staffing shortages? Or are people employed but don’t have the appropriate training? A lot of the complaints were not due to staff shortages or staff. We have had calls regarding staff issues, but no complaints have been filed over it.

Officer Elections – Vice Chairperson – Dr. Patti Mahar

Patti Mahar's Chairperson position is up. Chris Larson will move into the Chairperson position. Nicole Reybok volunteered to be Vice Chairperson. Andrea Johnson motioned, and Brenda Ruehl seconded the motion. The committee voted, and Nicole Reybok was nominated.

Part B Priority Setting – Mary McCarvel-O’Connor & Team

Discussion

By-laws should have priority settings listed there.

Are there any committee priorities that need to continue?

Current National – Hot Topics in Special Education

State – Special Education Priorities

IDEA Committee Members – suggestions for priorities

The goal is 3 to 4 priorities. Every goal should relate to a function under IDEA.

Current National Issues:

- Safety in Public Schools
- Children and Youth Experiencing Homelessness
- Special Education General Supervision – Part C and Part B
- OSEP Differentiated Monitoring Support (DMS)
- Leadership in Special Education
- Recruitment and Retention of Qualified Education Staff
- Mental Health Challenges
- IDEA Reauthorization
- Advisory Panel/ICC/Collaboration
- Section 504 Reauthorization – Civil Rights

Suggested Priorities:

Meaningful Inclusion – students in the regular classroom 80% of the day. North Dakota is higher than the national. 40% or less than day in a regular classroom – North Dakota is at 7% and national is 12.54%. Maggie Williams is working with a task force to create a meaningful inclusion document.

Graduation:

This is the six-year graduation rates for all students, students with disabilities, and students with an emotional disturbance over the past 3 years (this is not cohort data, so it will not directly align to the SSIP numbers). Because we follow students for 6 years, the students counted in this group were originally scheduled to graduate in 2020-2021 (but were given until spring of 2023 to graduate).

You can see the blue line which is the graduation rate for all students. Data starts on the left for those scheduled to graduate in 2018/2019 and continues to the right to those graduating in 2021.

The yellow line highlights graduation rates for students with disabilities (or those on an IEP). Both of these groups have had graduation rates that have remained fairly stable over the last three years.

Lastly, we have students identified with an emotional disturbance. These students had a dip in the 19/20 school year but have had the most significant growth since. It is projected that we will see some additional growth this coming year. This is a group that the Office of Specially Designed Services has been specifically focused on.

Not only do we want kids to graduate, but we also want them to be choice-ready. One year after students with disabilities graduate, a state team of volunteers calls them and interviews them about their life since graduation.

Here is the data on what students were doing a year after graduation. Keep in mind, that around 50% of students did not answer or return calls (5 attempts are made). The data from those students, may change what we see here.

The first column is for students with disabilities (on an IEP), the right column is those students called that were identified with ED. What you will see is that students with ED was less likely to go onto higher education but were more likely to be employed.

The other area of concern is the data in the last row, the students who are not employed or engaged in any vocational or educational program.

Early Warning Systems:

- For the last 4 years we have selected 2 districts to work with on implementing Early Warning Intervention & Monitoring Systems (EWIMS). This work asks schools to frequently review data and set a threshold of when a student is at risk, then provide intervention and supports. These areas of focus are:
 - Attendance – students who miss more than 10% of their time at school (only 2 days per month) are at higher risk of dropping out and less likely to be proficient academically.
 - Behavior – how often a student is referred to the office or removed from class can be a warning sign. Each school is encouraged to set a threshold based on their population
 - Academics – how a student is performing in classes can be a warning sign, especially as the student gets to middle and high school
- What have we done to support this work:
 - Getting out to present to school staff, administrators and families. Presentations happened at events hosted by several Family Support agencies, Supt. Baesler's Family & student engagement cabinets.
 - Training again has been offered in Understanding Behavior, School Discipline policies. This year trainings have been recorded and given to administrators to use at staff meetings as appropriate. These trainings are also all posted on the ND Educational Hub.
 - Academics – teams are encouraged to review the implementation of their Multi-Tiered System of Supports system. They need to ensure they are frequently reviewing student data and implementing interventions with fidelity.

Evidence-Based Practices:

- For the last 2 years, the state has shared 4 evidence-based practices that have been researched with students with ED specifically in the sample. Training has been shared on these practices with school staff, families, and administrators.
- Not all districts know how to measure implementation fidelity.

What work still needs to be done:

- School staff training
- Increase fidelity of implementation
- Family engagement
- Cross-system alignment

Recruitment and Retention

The Educator Pathway program is an opportunity for high school students interested in entering the teaching field after graduation. The Educator Pathway program includes five classes students can choose to take to help prepare them to earn a degree in teaching by completing dual credit courses while still in high school. The program is available to any school district in ND that would like to include college-level classes on education/teaching in their high school curriculum.

Currently, there are three participating universities that offer courses through the Educator Pathway Program.

What are the qualifications to receive a certification of completion to become a special education technician?

As stated in the administrative rule, the special education technician must submit a completed application form and have completed:

Forty semester hours of college education or an equivalent under Century Code 15.1-13-10 in the area of special education that aligns with the Council for Exceptional Children preparation standards for paraeducators, including; learner development and individual differences, legal/ethical practices, behavior management, curricular content knowledge, assessment, instructional planning and strategies, and collaboration; and A two-credit transcribable practicum minimum of one hundred clock-hours of fieldwork experience which is supervised by a licensed special education teacher.

ND Education and Employment System

Job Stats Summary 9-1-2023 through 6-27-2024

- Total Number of Jobs Approved: **3,408**
- Total Number of Jobs Filled: **1,969**
- Total Number of Unique Schools or Districts Participating 9-1-2023 through 6-27-2024: **102**
- New Resumes Uploaded: **1,175**
- NDEES mailing list members: **15,138**
- Site Visitors to the NDEES Sept 1, 2023 to June 27, 2024 – **1,033,402**

DMS Process

- Virtual visit – January 6-10, 2025
- Discovery Phase – August 2024
- Engagement – January 2025
- Closeout

The monitoring is around the eight components of general supervision.

Meaningful Inclusion – Brenda Ruehl made a motion, and Andrea Johnson seconded it. The committee voted and approved this priority.

Increased Graduation – Chris Larson made a motion, and Cassandra Bartelson seconded it. The committee voted and approved this priority.

Recruitment and Retention – Jessica Dargis made a motion, and Chris Larson seconded it. The committee voted and approved this priority.

DMS Process – Chris Larson made a motion, and Nicole Reybok seconded it. The committee voted and approved this priority.

SUGGESTIONS SUMMARY

Issues and Concerns in our State: No Issues.

Action Items:

The March meeting minutes were approved. Chris Larson made the motion, and Nicole Reybok seconded.

The meeting was adjourned at 3:07 p.m. Brenda Ruehl made the motion to adjourn, and Patti Mahar seconded it.

Public Comment: No Public Comment

The September meeting is scheduled for December 5, 2024.

Agenda Items for the December meeting:

- Increase in Title 9 in really young children with severe disabilities. They are being charged with Title 9.
- Behavior/Mental Health Support Services/ Training for Staff/ Access and Barriers to Supports
- OCR complaints – lots of Title 9 complaints
- The appropriateness of using Title 9
- Legislative Topics that affect students
- Katherine Terras

Meeting Summary: December 5, 2024

Title 9 – Increase in Young Children with Severe Disabilities, OCR Complaints – Lea Kugel

The information in this handout comes from the Office for Civil Rights (OCR) and Office of Special Education Programs (OSEP). It is intended to be used for general information only and is not to be considered specific legal advice. If specific legal advice is sought, consult an attorney.

45 CFR Part 86 - Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

34 CFR Part 86.31 – Education Programs or Activities

General: No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives Federal financial assistance.

Specific prohibition.

A recipient shall not, on the basis of sex:

- 1) Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service.
- 2) Provide different aid, benefits or services, or provide aid, benefits, or services in a different manner.
- 3) Deny any person any such aid, benefit, or service.
- 4) Subject to any person to separate or different rules of behavior, sanctions, or other treatment.
- 5) Apply any rule concerning the domicile or residence of a student or applicant, including eligibility for in-State fees and tuition.
- 6) Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit, or service to students or employees.
- 7) Otherwise, limit any person in the enjoyment of any right to privilege, advantage, or opportunity.

In addition, the school cannot force any student to follow different rules than the other students. They cannot use the basis of sex to make eligibility determinations for fees and tuition, and cannot provide aid to any agency that does discriminate against an individual on the basis of sex or cannot limit anyone in the enjoyment of other rights.

- Comparable facilities: The school may provide separate toilets, locker rooms, and shower facilities on the basis of sex, but such facilities provided for students of one sex must be comparable to students of the other sex.
- Access to Schools: The school cannot exclude any person from admission.
- Counseling: A school can not discriminate against a person on the basis of sex in counseling or guidance sessions and may not use different materials for students on the basis of sex.
- Financial Assistance: A school can not discriminate against a person on the basis of sex when determining amounts of financial assistance, types of scholarships, and must provide reasonable opportunities for members of each sex to receive athletic scholarships.
- Athletics: No person shall, on the basis of sex, be excluded from participation in any interscholastic club or athletics offered by the school

Respond Promptly and effectively to potential sex discrimination, including sexual harassment

34 CFR Sec. 106.2 Sex-based harassment:

- Quid pro quo harassment
- Specific Offenses
- Hostile environment

Notify the Title IX Coordinator with sexual discrimination

25 IDELR 994 and 6 GASLD 17 court cases.

Title IX requires districts to respond promptly and effectively to complaints which can include sexual harassment. The Code of Federal Regulations defines sexual harassment as quid pro quo harassment (ex: when an employee conditions a benefit on a person's participation in unwelcome sexual conduct), specific offenses which could include sexual assault, dating violence, domestic violence, and stalking). Hostile environment harassment means unwelcome sex-based conduct that is so severe that it limits or denies a person's ability to participate in or benefit from receiving an education.

If a person in the school system is aware of sexual discrimination or harassment taking place, they must inform the Title IX Coordinator.

Oakland case: Parent alleged that their 9-year-old student was sexually assaulted by another student in a bathroom and the school did not appropriately address the situation. OCR found that the district properly investigated the incident and took steps to prevent any additional possibility of sexual assault by proposing a new placement for the student in another school.

Requirements:

Nondiscrimination policy.

Grievance procedures.

Notice of nondiscrimination

Each school district has requirements they must implement under Title IX. Each district must adopt, publish, and implement a policy stating that they do not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates. In addition, a recipient must adopt, publish, and implement grievance procedures that provide for the prompt and equitable resolution of

complaints made by students, employees, or other individuals in school. The district must provide a notice of nondiscrimination.

Students with Disabilities

- Title IX consultation with IEP member(s) or team responsible for following IDEA -34 CFR 300.321
- Title IX Consultation with the professional designated to provide support to students with disabilities under Section 504 -29 U.S.C. 794

If there is a Title IX allegation involving a student with a disability, it is important to include either the IEP team members or the professional responsible for implementing 504s within the school.

Title IX prohibits sex-based discrimination in educational settings, which can include sexual harassment or gender-based misconduct. While most cases involve students as complainants, teachers and staff are also protected under Title IX, meaning they could file complaints if subjected to harassment or discrimination. The student's conduct must constitute either sexual harassment, sexual violence, or gender-based discrimination that significantly impacts the teacher's ability to perform their job or creates a hostile work environment. School policies should also protect teachers.

North Dakota Century Code - <https://ndlegis.gov/cencode/t12-1c01.pdf>

North Dakota and Mississippi have seen an uptick in Title 9 cases.

DMS Monitoring – Mary McCarvel-O'Connor

DMS Monitoring – OSEP met with Pathfinders, parents, school administrators, school providers and IDEA Advisory Committee members. OSEP still needs to meet with protection and advocacy. NDDPI's virtual meeting with OSEP is scheduled for January 6-10, 2025. Technical assistance providers will be invited to attend the OSEP meeting. OSEP has 120 days to complete the monitoring report.

Behavior/Mental Health Support – Katherine Terras

Katherine Terras

Co-Founder & Chief Executive Officer

Certification Central is an alternative certification program established to train and mentor educators and behavior technicians. This program is designed for teachers, paraprofessionals, and registered behavior technicians.

Katherine spends the majority of her time in school consulting on behavior support.

Behavioral Characteristics:

- Preschool and kindergarten students have needs that are multiple and severe.
 - Teachers are doing more toilet training and teaching students how to with utensils
- Behaviors that are becoming more common include: urinating, disrobing, and unwanted touching. Typically displayed by students who have ID and ASD.
- Students with emotional needs seem more verbally and physically aggressive.

Needed Supports/Services:

- Students need special education teachers onsite, not virtually.

- General education needs Tier 2/MTSS model behavioral supports.
- IEP Teams need to make decisions about a student's least restrictive environment.
- They need access to the full continuum of alternative placements per IDEA.

Barriers:

- Teaching online may be more preferred because of the flexibility and safety.
- General education teachers have limited behavior training.
- Overreliance on special education to lead the way.
- Limited long-term, therapeutic placements for students who have mental health needs.
- Students need to have case management through a human service zone for more restrictive settings.
- Students are being removed from residential settings due "severity" and returned to neighborhood schools. This needs to be a team decision.

Resources by Region

A lot of paraprofessionals are going through the process of becoming a licensed teacher. Teachers are working extremely hard to support students. The special education coordinator's positions have changed. They are working on the administrative side and still have a caseload and travel to different schools to serve students. Special Education teachers are being asked to be part of the extended school program. The concern is that it may lead to burnout for our teachers. Overuse of technology. Assessment and measurement gaps. A Statewide task force for special education will be created to study the impact that mental health is having on the educational system. We need to build capacity in our general education teachers.

As an advisory committee, would you like to create some subgroups to help with this? NDDPI has purchased Goalbook to help teachers write effective goals. We are working with the REAs to create training for paraprofessionals. Educational Hub has lots of training for teachers. Behavior code and behavior code companion are on the Educational Hub. You can provide the professional development but they have to want to implement the behavior plans with fidelity. How do we get buy-in? How do we create change? What role could the IDEA Advisory Committee play in helping get the word out? Do workgroups in regional areas get communication and education going? Do we need to look at how we provide services at the younger age? Behavior is a huge issue in childcare. There isn't enough knowledge and lots of turnover in childcare. Resources – statewide – local. How do you professionals and parents access them? Nicole and Chris will send out a request to create some subcommittees to address this issue. The subcommittee will look at how to get communication out to parents and professionals and provide some feedback to NDDPI. Pathfinders is willing to help get some resources out to professionals and parents. ND Special Education Consortium is going to try to get a group of legislators together and look at the statewide task force recommendations and move it to the next step. The Consortium would like to collaborate with the IDEA Advisory in the future on this endeavor.

Compiling a list of resources by age/grade for families, teachers, providers would be a great start. Information tends to travel/be shared slowly.

A Child Find presentation was given to pediatricians from across North Dakota by NDDPI. A recommendation for future presentations to psychiatrists, licensed social workers and therapists was given to NDDPI. Another recommendation of sharing the presentation with special education directors so they can share the information locally was also given.

<https://ndcpd.org/echo/>

PSND Upcoming trainings: <https://www.pathfinder-nd.org/calendar.php>

Legislative Topics that Affect Students– Mary McCarvel-O’Connor

Chapter 15.1-32 Special Education

- Change emotional disturbance to emotional disability
- Change hearing impairment to deaf/hard of hearing
- Repeal these Century Codes
 - 15.1-18-05 Special education strategist credential
 - 15.1-18-06 Provisional special education strategist credential

This Century Code was repealed and moved to ESPB, but this one was missed.

15.1-19-09 – Suspension/Expulsion in North Dakota – A student may be suspended for up to ten days for insubordination, habitual indolence, disorderly conduct, or for violating a school district weapons policy. This gives the schools the right to suspend a child for being lazy. We are removing this from North Dakota Century Code since it is subjective. A legislator will draft a bill and remove this language.

[North Dakota Century Code t15.1c19](#)

SPP/APR – Alyssa Kramer

Graduation – Indicator 1 – Target – 76.53% - Rate 77.06%. Target was met.

Dropout – Indicator 2 – Target 18.09% - Rate – 20.82%. – Target not met.

Assessment – Indicator 3 – Participation Rate -Grade 4 – ELA & Math both met target.

- Grade 8 – ELA & Math – did not meet the target.
- Grade 10 & 11 – ELA & Math – we are waiting for ACT results, so we don’t have this data yet.

Proficiency Rate for Regular Assessment

- Grade 4 – ELA & Math met target
- Grade 8 – ELA met target – Math did not meet target
- Grade 10 – ELA – 9.53% met target
- Grade 11 – Math did not meet target

Proficiency Rate on Alternate Assessment

- Grade 4, 8, 10, 11 – Math & ELA did not meet targets

Suspension/Expulsion – Indicator 4:

- Districts having an OVERALL significant discrepancy rate – met target – Target rate – 7.00%
Rate - 2.87%
- Districts having a significant discrepancy rate by race/ethnicity – did not meet the target – Target is 0% - Rate - 4.02%
- OSEP has created a new technical assistance center that will be working on Indicators 4, 9 & 10. The technical assistance center will be providing assistance on what to do if a district is found significantly disproportionate.

Indicator 5 – Least Restrictive Environment:

- Regular Classroom – Target – 73.67% - Rate -73.19% - did not meet target
- Separate Classroom – Target – 6.42% - Rate -7.46% - did not meet target
- Separate Facilities – Target – 1.58% - Rate – 1.32% - met target

Indicator 6 – Least Restrictive Environment for Preschool Students

- Regular Classroom – Target 22.10% - Rate – 17.95% - Target not met
- Separate Classroom – Target – 40.23% - Rate – 39.68% - Target met
- Separate Facilities – Target 1.26% - Rate - .92% - Target met

Indicator 7 –Child Outcomes

Indicator 8 – Parent Involvement – Target – 68.80% - Rate – 63.42% - Target not met. We have been working on getting surveys back but also making sure parents are involved.

Indicator 9 – Disproportionate Representation – Target 0% - Rate 0% - Target met. This is a compliance indicator so the target is set at 0% by OSEP.

Indicator 10 – Disproportionate Representation by Disability Category – Target – 0% -Rate – 1.15% - Target not met.

Indicator 11 – Child Find – Target – 100% - Rate – 98.29% - Target not met. This is a compliance indicator so the target is set 100% by OSEP.

Indicator 12 – Early Childhood Transition – Target – 100% - Rate – 100% - Target met. This is a compliance indicator.

Indicator 13 – Secondary Transition – Target – 100% - Rate 85.11% - Target not met. This is a compliance indicator.

Indicator 14 – Post-School Outcomes – Target met.

Indicator 15 & 16 – Dispute Resolution & Mediation - We don't report this since the numbers are under 10.

Indicator 17 – SSIP – Graduation Rates for Students with ED.

Indicator 18 – General Supervision is new this year. This is a compliance indicator. Percentage of findings of non-compliance corrected within one year of identification.

State staff are meeting next week to review data, and Alyssa can provide more information at the next meeting. As an advisory committee, what are your recommendations for setting targets? Nicole thinks we should give it some more time to see what happens. Any ideas, on what NDDPI could do to meet some of these targets? NDDPI received an SPDG grant and hopefully, that will help.

Issues and Concerns in our State: No issues.

Action Items:

The September meeting minutes were approved. Jodi Webb made the motion, and Patti Mahar seconded.

The meeting was adjourned at 2:30 p.m. Brenda Ruehl moved to adjourn, and Jeff Anderson seconded it.

Public Comment: I know we have spoken a lot today about behavioral students. For students with medical needs, how do you address them to get their needs met better in school? Most schools, in my experience, don't have a nurse. So, if something medical happens, I feel like schools need help. But how? If additional support is needed. Family Voices has that expertise, and they focus on the medical aspect, and Pathfinders focuses on the rights of special education services. Building a relationship with your IEP team.

Save the Date: Pathway to Partnerships conference will be April 26th in Minot! Registration opening soon.

The March meeting is scheduled for March 6, 2025.

Agenda Items for the March meeting:

- Truancy and Chronic Absenteeism – CHINS & CHIPS? Preventable strategies, Lack of resources available to parents to get students to school
- COVID – how did that affect students' attendance? Data?
- Federation of Families Presentation on Mental Health and Absenteeism
- Someone from DHHS because each county interprets it differently
- OCR Presentation?
- IDEA-B Application

- Legislative Update

Meeting Summary – March 6, 2025

IDEA-B Application – Mary McCarvel-O’Connor

States are required to apply for Part B grants to the federal government. The only change we made there was a section that asked about policy and procedure. We don’t recognize multiple disabilities developmental delay, and ND calls it NCD. We allow for two more exceptions to extended 60-day initial evaluations—limited access to professionals and weather delays. When we were monitored, we were told that we should be marking this differently. We are currently collecting the MSFS, and then it will be posted to the website for public comments.

Committee Work – Christopher Larson and Nicole Reybok

Nicole, Chris, and Mary met and wanted to make the committee more efficient. They thought of creating subcommittees to help tackle different topics and get more input on issues that affect the state. Maybe listening sessions. The issues brought up aren’t going to be resolved overnight, but we want to have these sessions, so the different continents know they have a voice. Listening sessions would be virtual or hybrid. There are different options for attending these listening sessions. What is the committee's opinion on these listening sessions? If we split the state by region, would we have a diverse population and participation from smaller areas? We would still meet three times a year as a committee. The subcommittees would be separate and provide a different format for the committee to get input and needs of that region. Special education directors and parents could meet, and you could bring that information back to the IDEA Advisory Committee for discussion. We are not always getting parents' voices and input from the different regions. It is hard for the IDEA Advisory Committee to advise on statewide issues since not every region is represented on the committee. The purpose of today’s meeting is to gauge the committee's opinion on whether this would be a good idea. Penny and Tina think it would be beneficial. The Arc of Cass County would love to help facilitate listening sessions in rural Region 5. NW North Dakota transportation is an issue, but we could use virtual. Fayme said there is a stigma in rural communities with having a disability. I think it comes where there is early intervention in these communities before getting into the school system. Andrea Johnson said she will create an Excel spreadsheet with the resources available for teachers to give to parents. Pathfinder, the PTI, has a page dedicated to links for parents. These are probably state-level, but they may be a good starting place! <https://www.pathfinder-nd.org/resource-agency.php#HS>

<https://thearc.org/chapter/the-arc-of-north-dakota-inc/>

The next steps are to develop a thinking group to organize everything and work out the logistics of the listening session.

The following people volunteered to serve on the subcommittee. Jacqueline Adusumilli, Kristina Heinle, Colette Fleck, Tina Degree, Cassandra Bartelson, Aimee Easton, Jeff Anderson, Fayme Stringer, Katy Barnum, Andrea Johnson.

Legislative Update – Mary McCarvel-O’Connor

Would the committee want to write a letter of support or against one of these bills?

HB 1013

- North Dakota Department of Public Instruction’s budget bill
- Appropriate \$24 million for special education grants
- Passed the House 72-17

- Senate Appropriations Committee held a committee work session yesterday (3/5)

HB 1164

- Amends the North Dakota Century Code relating to definitions of terms used for special education.
- Changes the words ‘emotional disturbance’ to ‘emotional disability’
- Changes other minor words
- Passed the House 92-1

There is much stigma tied to the word disturbance.

HB 1223

- relating to the suspension and expulsion of kindergarten through grade twelve students.
- Passed the House 92-0
- Senate Education Committee yesterday (3/5) with no action taken

HB 1247

- relating to protection of a student victim of sexual assault
- Passed the House 91-0
- Heard by the Senate Education Committee yesterday (3/5) with no action taken

HB 1530

- legislative management study on the circumstances and needs of special education teachers and the related special education teacher shortage
- Passed the House 84-7
- No hearing set in the Senate Education Committee

HB 1547

- to create a committee to study special education funding during the 2025-26 interim, and to provide for a legislative management report
- Passed the House 86-5
- No hearing set in the Senate Education Committee

SB 2096

- provide an appropriation to the Department of Health and Human Services for regional acute psychiatric treatment and residential supportive housing services
- Senate passed 35-8
- House Hearing in the Human Services Committee yesterday (3/5) with no action taken

HB 1261

- relating to special education strategist credentials
- Passed the House 85-3
- Senate Education heard the bill on 2/5, do pass recommendation 5-0

SB 2112

- relating to the life skills and transition center; to provide for a legislative management report; and to provide an expiration date
- Passed the Senate 29-17
- No hearing set in House Human Services
- Your chair and vice chair **recommend a letter of do not support** for this bill.

This proposes a life skills transition center for young adults to transition from the school to workforce. This bill would allow students who don't meet the criteria to be there. There is a limited number of beds, and if we open it up to students who don't meet the requirements, we would be taking away from those who met the criteria. Jeff Anderson said some services are better than no services for individuals who are in crisis. The need is so great that until something better comes along, the type of services available at the transition center will be better than none. A limited number of beds with students with disabilities and kids in foster care. They hope the Dept of Health and Human Services comes up with a solution before expiration. Has anyone reached out to the Life Skills Transition Center to see if they plan to keep the vulnerable students safe and if everyone's needs are being met? The concern is safety and the needs of students with disabilities being met. The issue is that the beds that are available will be given to students with mental health issues versus students it was intended for. It should be as a last resort only. Deinstitutionalization is important and it is for the most at need for those intensive services.

Facts. More services are needed to meet appropriate needs.

Schedule a meeting with the Life Skills Transition Center to discuss our concerns. Jeff Anderson suggested having a group from this committee to see what is happening and help provide guidance/suggestions. Jeff Anderson, Brenda Ruehl, Nicole Reybok, Grace Larsen, and Christopher Larson will go to the center, discuss what they find out, and bring back what they find out at the next meeting in September. P&A opposes this bill. Reach out to the Upper Valley Special Ed Unit to schedule a meeting with Dan Juve. If you have any questions or concerns, please email Mary or Chris.

Discussion on ESA'S (SB 2400/HB1540)

Federal Funding of Special Education

- Your Chair and Vice Chair recommend a **letter of support** to the President of the United States to request keeping of funding for special education at the federal level.

Mental Health and Absenteeism – Carlotta McCleary, Federation of Families

Children's Mental Health & School Absenteeism—Mental health includes emotional, psychological, and social well-being. At any given time, 1 out of 5 children has a mental health condition, and 1 out of 10 will have a serious emotional disturbances (SED). In North Dakota, that translates to over 18,000 children. Juvenile justice reform – two categories are the human service zone services – children in need of protection and children in need of services. As of August 1, 2022, law enforcement and schools should refer children and youth to the new Children in Needs of Services team, staffed by Human Service Zone professionals across the state. Please do not continue to make referrals to juvenile Court, Mental Health Reforms – 1915 (i) State Plan Amendment, System Of Care Grant, Certified Community Behavioral Health Clinics (CCBHC's).

1915(i) eligibility –

- Any Age,
- Currently enrolled in ND Medicaid or Medicaid Expansion,
- Have a household income below the 150% federal poverty level,
- WHODAS Score of 25 or above,
- Received services at home (not institution),
- Have a qualifying mental health diagnosis.

A student who is chronically absent any year between 8 and 12 is more likely to drop out.

15% of all students in the US are chronically absent, and that number is significantly higher among students in special education.

Chronic absenteeism is widely defined as missing 10 percent or more school days in a school for any reason, including excused and unexcused absences.

15.1-20-02-1 Truancy policy

15.1-20-02 Compulsory attendance – exceptions

15.1-20-03 Compulsory attendance law – enforcement – penalty #5

What can families do at Home?

- Talk with your child
- Try to find out the reason for missing school
- Together, brainstorm some solutions.

What can families do if their child has an IEP or 5-4 Plan?

- Ask for a team meeting to discuss concerns
- Reach out to the school's special education coordinator or 504 coordinator
- Plan for an evaluation
- Updated IEP/504 Plan

Solutions

- Ask students and families why the student is absent
- Recent students found that wraparound services improved attendance
- Asset mapping – what services and supports do we have in our community
- Child find. Is this a child with a disability?

1,086 youth clients with SED received case management services in the Human Service Centers between July 1, 2023 and June 30, 2024.

ND Federation of Families for Children's Mental Health provides statewide parent-to-parent support for children with mental health needs and their families. Call 701-222-3310 if you are in need of support.

Mental Health of America of North Dakota helpline – 701-255-3692. Toll-Free 1-888-705-5763.

www.mhand.org

Chronic Absenteeism Punitive charges—Parents are being charged with child neglect and the impact on the family and student, grandparents raising their grandchildren, Native American. The charge can be \$250.00 – \$500.00, and the families can't afford this. The family ends up pulling their student from schools, the student is not receiving an education, and parents are uncomfortable about reaching out for services. Are we interested in educating these students? Parents lose their employment due to the school calling and having to pick up their students from school. They should do a child find right away when a student starts missing school. Parents don't know how to access services, or they were wrongfully denied their wraparound support, which puts them at risk of suspension/expulsion. Building a bridge to transition those students back to school. Mobile Crisis Team or 988— you can request human services or a crisis center to de-escalate a student at school. 45-mile radius of Fargo, Grand Forks, Williston, Minot, Jamestown, Bismarck, and Dickinson. What is an alternative if they can't get to us in time? Go to the human service centers. Mental Health issues – go to the human service centers, not the zones. The Federation of Families has a virtual parent support group that meets every other Tuesday. The next meeting is March 18 at 7:00 p.m.

SPDG – GRAD 701 – Michelle Woodcock

Our vision is that all students will graduate choice-ready with the knowledge, skills, and dispositions to be successful. Choice ready framework. [NDDPI ND Choice Ready 241217](#) In order to graduate choice ready the student would need to complete the Essential Skills box and complete requirements within two yellow boxes (Post-Secondary Ready, Workforce Ready, and Military Ready).

Grad 701 is a grant that was received by the Office of Specially Designed Services in October 2024. The overarching goal of Grad 701 is to increase graduation rates for students with disabilities through professional development and technical assistance on implementing Early Warning Systems and Evidence-Based Practices to teachers, administrators/principals, families, and pre-service teachers.

The work of this grant is split into three areas. The first is to expand the work of Early Warning Intervention and Monitoring Systems (EWIMS). This is where schools use data to identify and support at-risk students. They look for the ABCs: attendance, behavioral referrals, and course completion (academic grades). These data points have been shown to be accurate predictors of students who may go on to drop out. This work will provide more coaches and cross-train all staff supporting schools in the state to spread this message. Each year two districts are selected to receive training and monthly coaching in this area.

Another area of work is Evidence-Based Practices. One evidence-based practice is Building Assets, Reducing Risks (BARR). This is a program that schools implement for three years. The focus is to build culture and community in schools while using data to support students. In addition, four evidence-based practices will be supported, and training will be offered to train them to implement with fidelity. These practices are: Behavior-specific praise, Check-in, Check-out Opportunities to Respond, Check, & Connect. Lastly, we will train future teachers at our universities in North Dakota. One of our coaches is Kim Marman at the University of Mary. She is going to make us Lesson Plans, Case Studies, Data Analysis. University of Mary is going to pilot and then the next year Mayville State University.

Where you can find Grad 701 information: [Special Education](#). You can sign up or share this family listening session link: [Meeting Registration - Zoom](#)

Issues and Concerns in our State: No Issues.

Action Items:

The December meeting minutes were approved. Jeff Anderson made the motion, and Andrea Johnson seconded it.

Chris is working on getting the first listening session scheduled in the NW part of the state by the end of March. We would like to offer in-person and virtual listening sessions.

The meeting was adjourned at 11:56 a.m. Brenda Ruehl made the motion to adjourn, and Andrea Johnson seconded it.

Public Comment: No Public Comment.

The September meeting is scheduled for September 11, 2025.

Agenda Items for the September meeting:

- New Member Training
- ICC/IDEA Advisory Joint Meeting in the morning
- Subcommittee Work
- Bylaw Updates
- Update on the Life Skills Training Center visit