

2013 SENATE EDUCATION

SB 2332

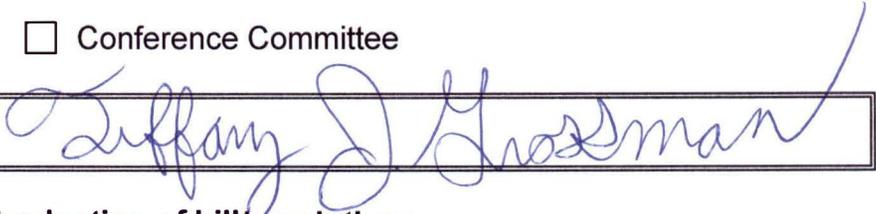
2013 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2332
2-11-13
18656

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for special education support grants

Minutes:

You may make reference to "attached testimony."

Chairman Flakoll: opened the hearing on SB 2332.

Senator Heckaman: I wish to testify in support of SB 2332 (Written Testimony #1 attached) I am working on an amendment that will take this down from \$191,106 to \$140,000 because of a \$60,000 grant they received.

Representative Dan Ruby District 38: I would like to echo Senator Heckaman's comments. I understand that as we look at the funding sources, our agencies receive from the federal government. Those funds are at risk from year to year and it is up to us to decide what we should be funding full time. Grants have no real security. If we value the efforts and mission of this group, it is something we need to fund on a consistent basis. I had a granddaughter born this month with down syndrome. We have some questions about the level of development she will be at. This group will be a great asset. I supported this group before I found out my granddaughter had down syndrome.

Senator Heckaman: Rep. Ruby, we have someone in the audience who can steer you in the right direction and help you with your questions.

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: I wish to testify in support of SB 2332 (Written Testimony #2 attached) 13:56

Senator Heckaman: You mentioned Pathfinder is one of three family support organizations in North Dakota. Will that \$140,000 support all three?

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: No it doesn't.

Chairman Flakoll: How many people do you serve?

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: ND has about 15,000 families we serve with school age children. We provide technical assistance to a

smaller portion of those families and that is where they call us and as us questions. We even get calls from schools.

Chairman Flakoll: How many of the 15,000?

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: It depends which service. Total service is all of them. We are required to reach 60,000 families or people yearly with our public service information about what is available and we exceed that. We are required to call provide 1,500 contacts and follow up calls and we have about 3,000 every year. Not all families are seeking help.

Chairman Flakoll: The two other organizations...are they partners?

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: No but we do work closely with them. One focuses on health and health care information and training. The other focuses on mental health. We focus on education, special education, and parenting.

Chairman Flakoll: Does the amount requested fully fund this? It's not a kick start program by any means right?

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: No, this funds it. It won't be expanded.

Chairman Flakoll: Explain the mediation process and the dispute resolution.

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: Recently a family with a child with a disability was aggressive in school. As a result the school told the family the child was not welcome there and decided to provide education in an alternate placement. The child went from receiving 6.5 hours of service to 1 hour of service in the alternate placement. The family filed a complaint with the DPI because the school missed some steps in the process. We were contacted by the family and spoke with the school.

Senator Marcellais: Do you work with the center for independent living?

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: We do work with them but their services are more for people and we are for families. They are not one of the three organizations.

Senator Heckaman: Are you a service through the DPI?

Cathy Haarstad, Executive Director of the Pathfinder Parent Center: The DPI is a state agency and we are a private non-profit. We work closely with them and we are under contract with the DPI to develop materials in ND called Response to Intervention. We also host a joint conference annually with the DPI for parents and educators.

Leann Nelson, North Dakota Education Association: We are in support of SB 2332. I am also on the board for the Pathfinder's Parent center. It is nice to provide this help for the

parents to help them understand what we are trying to understand. We were concerned with the dispute resolution. We don't this to be a way for someone to submit for funding to hire an attorney. We would like it to say "understanding" dispute resolution.

Christine Hogan, attorney for the Protection and Advocacy Project: We support SB 2332 and wish to offer friendly amendments. (Written Testimony #3 and written amendment #4)

Senator Heckaman: Is the amendment for the \$600,000 at the request of those other two parent support groups? Can you tell me the budget and what that support would do for them?

Christine Hogan, attorney for the Protection and Advocacy Project: Yes. I can't but they are in the audience.

Vice Chairman Schaible: Schools are required to provide education to all their citizens and it sounds like these groups feel they aren't doing that job and that is why their role is necessary.

Christine Hogan, attorney for the Protection and Advocacy Project: That is correct. It is very common for schools and parents to reach an impasse and they need help from parent support groups and sometimes Protection and Advocacy.

Carlota McCleary, Executive Director of ND Families for Children's Mental Health: I wish to testify in support of SB 2332 (Written Testimony #5 attached)

Senator Heckaman: Has there been any thought to combine the three organizations?

Carlota McCleary, Executive Director of ND Families for Children's Mental Health: We do work as collaboratively as much as possible but we do have different missions.

Senator Heckaman: Is there a cost to families and schools from your organization?

Carlota McCleary, Executive Director of ND Families for Children's Mental Health: Currently there is not. Our services are free of charge. They wouldn't be able to afford that.

Senator Heckaman: What age do you work with?

Carlota McCleary, Executive Director of ND Families for Children's Mental Health: We work from birth through transition of adulthood

Roxane Romanick, Designer Genes of North Dakota: I wish to testify in support of SB 2332 (Written Testimony #6 attached)

Doug Johnson, Executive Director of the North Dakota Counsel of Educational Leaders: I am here to testify in support of SB 2332. We do support this bill. It is a good investment of dollars for the state to support the program. We have the concerns of the resolving disputes.

Chairman Flakoll: Would the words help clarify?

Doug Johnson, Executive Counselor of North Dakota Educational Leaders: I believe they would.

Chairman Flakoll: In HB 1319 the factor for special education goes from 0.079 to 0.082 which will generate \$738 per child. Compare and contrast using that as a vehicle where schools would be directly billed for the services versus an appropriation.

Doug Johnson, Executive Counselor of North Dakota Educational Leaders: This appropriation is more helping the grantees receiving them who are not subject to the dollars from the 1319 funding formula. We will be putting a significant amount of money to the new formula, increasing the weighting factor, and increasing the number of dollars per pupil that is calculated on weighted student units. That will be more to give direct services to students rather than a program such as this.

Senator Luick: How would the dollars be spent?

Doug Johnson, Executive Counselor of North Dakota Educational Leaders: The grants would be applied for by the different associations and then the state would determine which would get that. It is one grant that is given out from this particular situation. So they would be awarded the amount of dollars as written in the bill or with the amendment Senator Heckaman is putting in for \$140,000.

Chairman Flakoll: In theory it could be an organization that hasn't even started yet?

Doug Johnson, Executive Counselor of North Dakota Educational Leaders: That is the way I interpret this bill.

Gerry Teevens, Special Education Director for the DPI: I am here for guidance regarding the appropriation for SB 2332. (Written Testimony #7 attached)

Chairman Flakoll: I would believe the answer would be one or more grant at the discretion of the department.

Chairman Flakoll: Closed the hearing on SB 2332

Chairman Flakoll: Welcomed the Close Up students.

Committee Discussion beings:

Chairman Flakoll: Senator Heckaman are you having more than one set of amendments?

Senator Heckaman: I am not sure. I would like the committee to do some discussing first and get some committee direction.

Chairman Flakoll: Let's discuss 2332 to provide Senator Heckaman with some guidance. This has an appropriation and has to be out of committee by today.

Senator Heckaman: I have some questions from the other two organizations. Maybe we could hear from the groups of why they need the \$600,000. I don't know what the need is.

Carlota McCleary, Executive Director of ND Families for Children's Mental Health: Our current budget is much smaller than Pathfinder Family Support. We have \$60,000 we receive and we are in year one of a three year grant. We have a contract with the Department of human services for \$75,000 a year that they will no longer be funding as of June. We are working on the same contract Pathfinders is with DPI to provide outreach for families and educators.

Senator Heckaman: What was the reason for the Human Services taking away the grant?

Carlota McCleary, Executive Director of ND Families for Children's Mental Health: There were changes in the block grant we receive out funding from and they had other things they needed to fund with that.

Senator Heckaman: So that money won't get steered to you from a different grant?

Carlota McCleary, Executive Director of ND Families for Children's Mental Health: Not that we are aware of.

Senator Heckaman: This bill came forward on the request of one of the groups. I think we need to look at how we can put some money into this whole process without losing the whole bill. I need some input from the committee.

Chairman Flakoll: If we go too far it will compromise the lifespan of the bill.

Vice Chairman Schaible: My understanding is this supplements the \$191,000 and goes to the \$140,000. That will only take care of two years. What will happen in two years?

Senator Heckaman: I think we will see the request continue. All of the federal grants are getting cut down so it won't be the only group we hear requests from in the future. . I would guess it would stay in that range. Every time we get a request for this it is for important services. These are important services. They probably will come back because we want the federal government to cut down on their spending so we need to help them.

Vice Chairman Schaible: These are important organizations but when the state takes over the private organizations it expands and grows. Maybe we need to look at something through the Department of Public Instruction and a charge per service might be the answer. Some of these go way beyond educational services which are important but these are beyond the educational scope.

Senator Heckaman: I don't disagree with what you said but Pathfinders are saving the schools a lot of money.

Vice Chairman Schaible: There are some needs but my concern is with the explosion of the scope. Usually the school understands that the parent will get what they want. If you go to court the school will lose and pay both sides so I think there is a good hammer there right now if they get the information and the advocacy they need.

Senator Heckaman: Can I have a recess so we can look at the language?

Chairman Flakoll: On line 14 clarifications would be helpful and there should be language that they need to report to the interim committee at some point.

Senator Heckaman: Anita is helping me with an amendment for this bill.

Senator Poolman: It seems like we are opening a can of worms for organizations with conflicting ideas. I have all of the same questions as the Department of Public Instruction brought forward. I would be much more likely to support a pass through grant to one organization rather than starting this whole ball of wax with all of these other organizations because this could quickly balloon.

Chairman Flakoll: I will close the hearing on SB 2332. We will come back in at 11am and maybe we will have amendments.

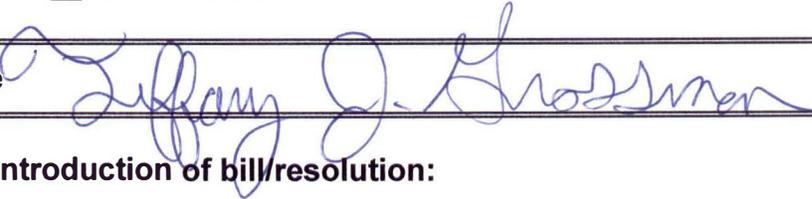
2013 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2332
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18716

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for special education support grants

Minutes:

You may make reference to "attached testimony."

Chairman Flakoll: opened the hearing on SB 2332

Senator Heckaman: Legislative Council had a suggestion to our amendment. The appropriation will be changed to \$600,000 and we do need to leave it as one organization or more because if only two groups come in, we can't put out any funding. We will change "resolve" to "understand" on page one line 14. **I move those amendments**

Senator Marcellais: Second

Vice Chairman Schaible: I don't have a problem with the amendment but I have a problem with adding entities and money to it. I probably won't vote for the bill either way.

A roll call vote was taken to adopt the amendment: 6 yeas, 0 neas, 0 absent

A Vice Chairman Schaible: This opens up all kinds of things. I don't see these as ever going away. This will be continuous funding and an expansion of government. **I move a Do Not Pass to SB 2332 as amended**

Senator Poolman: Second

Senator Heckaman: We should allow this to go through the process. We just passed the North Dakota Council on the arts budget with an increase in that budget and those are all grant processes to non-profits. If we are going to keep consistent in our theory on non-profits we are out of line on this one. I am voting against the Do Not Pass recommendation.

A roll call vote was taken for a Do Not Pass as amended to SB 2332: 4 yeas, 2 neas, 0 Absent

Vice Chairman Schaible: will carry

13.0839.01001
Title.02000

Adopted by the Education Committee

February 11, 2013

A handwritten signature in black ink, appearing to be 'JB', is located in the upper right corner. Below the signature, the date '2-11-13' is written in a similar cursive style.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2332

Page 1, line 4, replace "\$191,106" with "\$600,000"

Page 1, line 14, replace "Resolve" with "Understand"

Renumber accordingly

2332

Date: 2-11-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO.

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number 13,0839,0/001

Action Taken adopt amendment

Motion Made By Heckaman Seconded By Marcellais

Senators	Yes	No	Senator	Yes	No
Chairman Tim Flakoll	✓		Senator Joan Heckaman	✓	
Vice Chairman Donald Schaible	✓		Senator Richard Marcellais	✓	
Senator Larry Luick	✓				
Senator Nicole Poolman	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

2332

Date: 2-11-13
Roll Call Vote #: 2

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO.

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number 13,0839,0100

Action Taken Do not pass as amended

Motion Made By Schaible Seconded By Poolman

Senators	Yes	No	Senator	Yes	No
Chariman Tim Flakoll	✓		Senator Joan Heckaman		✓
Vice Chairman Donald Schaible	✓		Senator Richard Marcellais		✓
Senator Larry Luick	✓				
Senator Nicole Poolman	✓				

Total (Yes) 4 No 2

Absent _____

Floor Assignment Schaible

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2332: Education Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2332 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "\$191,106" with "\$600,000"

Page 1, line 14, replace "Resolve" with "Understand"

Renumber accordingly

2013 TESTIMONY

SB 2332

SB 2332

#1

Chairman Flakoll and Members of the Senate Education Committee:

I am Senator Joan Heckaman from New Rockford and I represent District 23.

I am here to introduce SB 2332 to you. This bill will provide funding for grants to organizations working with parents of children with learning differences and challenges.

In a few minutes we will hear the mission of these parent groups and the reason they need our help to continue this mission.

I have had the privilege of working with this parent group during my tenure as a special education teacher. Their work is of importance to the families and parents. At school we direct our services to the student's strengths and needs. But another important part of any service plan is support for the parents.

I will turn the podium over to Ms. Cathy Haarstad to explain some of the services available from one of these support groups.

Thank you for your attention to SB 2332.

#2

Senate Education Committee
Senate Bill No. 2332
February 11, 2013
Missouri River Room
Honorable Tim Flakoll, Chair

Chairman Flakoll and Members of the Committee, my name is Cathy Haarstad and I am the Executive Director of the Pathfinder Parent Center. We are a private non – profit organization with 501 (c) 3 status. Pathfinder has provided statewide information and education to ND families of children ages birth through 26 for the last 25 years.

Our center receives \$204,000.00 in annual federal funds from the Office of Special Education Programs (OSEP) in the US Department of Education to achieve the four outcomes described in SB 2332. Our services are statewide in scope. A form detailing the counties in which we have provided services in the past two years is attached to the testimony. The additional documents attached to the testimony details the scope and impact of the services we provide.

President Bush once said that if organizations needed taxpayer dollars they should have to find the bulk of that funding at the local level where they must look their friends and neighbors and local legislators in the eye and justify why funding should be provided. I am here today to do that. The original legislation proposed by Senator Heckaman was intended to provide our organization with state dollars to offset a decrease in federal funding over the past five years. We are testifying in favor of the bill.

Loss in federal funding has been tied to the decisions by OSEP to reduce funding to individual parent centers in order to support national initiatives and decisions by the US Department of Education to transfer funding within the DOE from parent involvement initiatives to funding charter schools. As a result our funding has gone from \$218,000.00 annually to \$204,947.00 with the additional loss of a \$500,000.00 PIRC grant. One half of that grant was given out to 40 rural schools and another third to early childhood education agencies. The remainder was used by Pathfinder to administer the grant.

Our federal funding is conditional upon providing services at no cost to families and we are unable to operate on a fee-for-service basis without jeopardizing that funding. We cannot raise dollars from the families we serve on a private level since typically they have very little funding left at the end of the month due to costs associated with their children's special needs.

The state of ND currently spends between \$500 and \$3000 each time a family pursues mediation or a due process hearing. Our center is part of the early dispute resolution system in ND. We have the honor of helping families to figure out ways to resolve disputes

districts as well as DPI and families to avoid the often contentious and costly road to litigation. We do this by helping parents to feel safe enough to leave counter-productive forms of communication behind and try a more collaborative approach. We also assure they are fully informed of their rights.

Pathfinder is one of three family support organizations in ND who provide families with information and education and our focus is on understanding and working within the special education system and on parenting a child with special needs. Although many school systems provide families with general information on special education we continue to receive numerous requests for parent advising and for resources and workshops that are conducted in a family friendly manner and that build family capacity to be involved in their child's education from birth through age 26. We are not an advocacy organization but through education we assist families to understand how to speak out on behalf of their children. We work very closely with the Federation of Families and Family Voices to make sure that services are coordinated and non-duplicative.

Although we encourage parents to apply for positions in our agency we provide employees with a great deal of training and support to be able to answer the many questions that we receive from families. Also the other family support organizations often turn to us when complex educational questions arise. A copy of some of these questions is included with the testimony.

We provide extensive data on the results of our services to OSEP on an annual basis. State dollars will be used to cover the cost of maintaining our current staff and will increase the number of staff we have by one FTE in order to provide sufficient coverage to the western half of ND due the recent increase in population. We believe that the state of ND has an opportunity to assure that ND continues to benefit from this essential service which is valued and trusted by families. Without state funding we will be required to cut services beginning in 2014. This request would have been included in the original DPI budget but I waited until we had exhausted every other avenue before coming to the legislature. We received a grant for \$60,000.00 at the end of January from the Otto Bremer Foundation for one year only and I have reduced the amount of my request by that much. Thank you for considering this bill. I would be happy to answer any questions.

Cathy Haarstad, Pathfinder Parent Center
1600 2nd Avenue SW Ste 30
Minot, ND 58701
701.837.7500

Examples of Questions Received by Pathfinder Parent Advisors

1. What is a special education unit – I never heard of that. I just talk to my child's teacher.
2. My child is receiving services as a child with a non-categorical delay and will be 9 years old in the fall. The school says they cannot use that category anymore and they want him to be served under the category – intellectual disability. What happens if that label causes teachers to expect less of him and limit his opportunities? They changed his paraeducator 5 times last year because they said they didn't want any paraeducator to become too attached.
3. The educator assigned to work with my child is giving him detention for being late with his homework but that is not written into his IEP? Does the school have a right to do that?
4. I want someone in my child's classroom to read the numbers on his glucose monitor and determine based on the ranges set by his physician whether to call us if the numbers are too low or too high. The teacher claims that she does not have to provide any medical services under the terms of her contract if she is uncomfortable with them. My child is only in the first grade and he doesn't understand numbers well enough to do this. What can I do?
5. My child has bit and hit several people at his school and we have been told she cannot come back to school until she can control her behavior. We think the aggression is related to her disability. How do we get the school to take my child back?
6. My husband and I want to retain our child in Kindergarten. He is doing well academically but has fine motor problems. He can't button his pants or tie his shoes and struggles to write his name. The principal told me there is a state policy now which says he can only be retained if he scores below a certain point on a test. Do I have a right as a parent to hold my child back or is the principal right - is that a state decision?
7. My child has a visual impairment and any maps that he is supposed to complete as part of a homework assignment need to be enlarged so he can see them clearly according to his Individual Educational Plan. The general education teacher keeps "forgetting" to do that. The special education director keeps saying that this is not a special education problem but the teacher won't do it. My husband is deployed and I don't have anyone to help me. What do I do?
8. My child has asthma and going out in the extreme cold can bring on an attack. He needs to carry an inhaler. I checked with the counselor to see if she could get a 504 plan written. The counselor checked into it but found out the school has never written a 504 plan for any student. When she offered to do it she was told not to stir that pot. What do we do?
9. My child didn't score low enough on the screening to be eligible for special education. She has 3 different disabilities. The teachers say other students have scored lower. My child is still in kindergarten but should be in the second grade. What are my rights as a parent in this situation?
10. Should I tell my daughter that she has a disability? What do I say? How do I get her to let us help her brush her teeth without a tantrum?

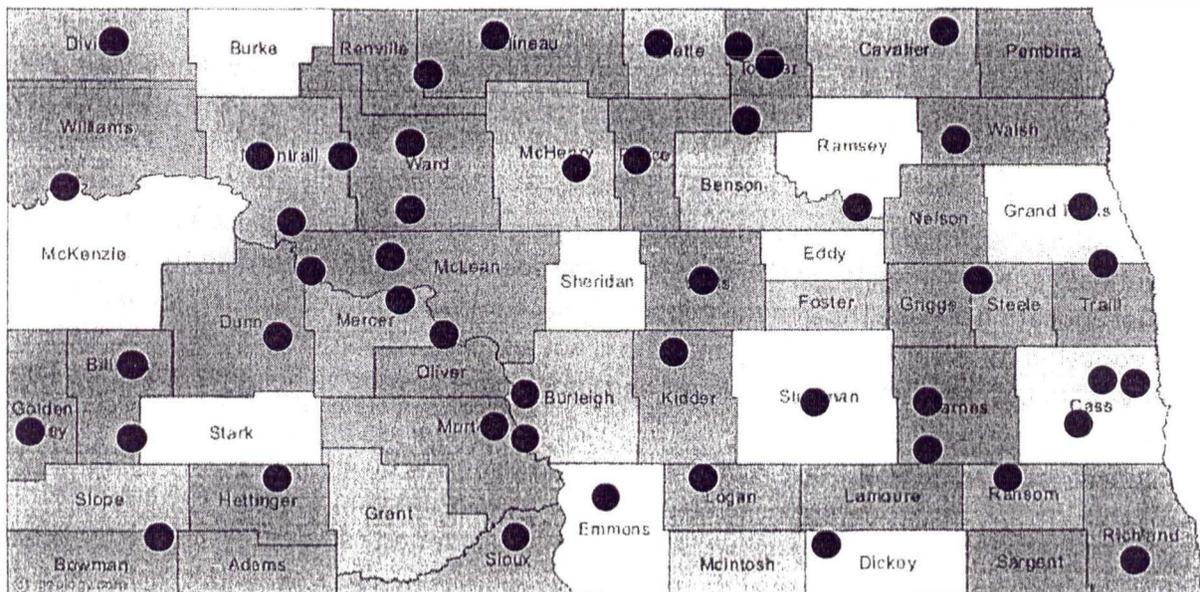


PATHFINDER PARENT CENTER

1600 2ND AVE SW, SUITE 30 . MINOT . ND . 58701
PHONE 1.800.245.5840 • 1.701.837.7500 FAX 1.701.837.7548
WEB pathfinder-nd.org EMAIL info@pathfinder-nd.org

Statewide Services: Pathfinder Parent Center has received 204 separate contacts from ND families since October 1, 2013. Of these 103 were non-duplicated contacts from families living in 33 different communities. Each contact averages an hour of phone time, an hour of research time and fifteen minutes of information gathering and mailing time. About 100 of these requests require multiple responses and 2-5 hours of follow-up time.

The map below shows the different community in which we have provided services in the past two year period.



Legal Status:

- Certified non-profit corporation (Incorporated) – State of North Dakota As *Pathfinder Services of ND*; also registered to accept charitable donations
- 501 (c) 3 tax-exempt status – Internal Revenue Service – United States As *Pathfinder Parent Center*

Corporate Address

1600 2nd Avenue SW Ste 29 & 30
 Minot, ND 58701
 701.837.7500
 Fax 701.837.7548
 1.800.245.5840
<http://pathfinder-nd.org>
info@pathfinder-nd.org

Board of Directors

Dave King – Board President
 Peter Yung – Vice President
 Terry Peterson – Secretary/Treasurer
 Vicki Peterson – Board Member
 Jacki Harasym – Board Member

Monica Hinds – Board Member
 John Porter –Board Member
 Lee Ann Nelson – Board Member
 Ashley Howard – Board Member
 Lillian Jones - Prospective

Staff

Cathy Haarstad - Executive Director
 JoAnn Kjelshus - Administrative Assistant
 Diana Page - Project Support
 Teri Wilder- Family Support Specialist

Dan Griffith - Program Support
 Joan Karpenko - Family Support Specialist
 Lucas Klein - Maintenance
 Elizabeth Burckhard - Summer Intern

Financial

Jan Kostad – Accountant; Mark Holm – Auditor - Drees, Risky & Vallager, Ltd

Awards, Grants & Loans



U.S. Department of Education – Parent Training & Information Center –
 This is a four year grant that must be renewed annually based on
 performance. Grant # H328M110021
 CFA 84.328M **\$204,947.00**

U.S. Department of Education – Parent Training & Information Center –
 No Cost Extension – These are carry-over dollars that allowed the center
 to complete activities deferred in 2011-2012 due to the flood. **\$19,959.00**

Otto Bremer Foundation – Operational & Reorganizational Funds – This is a one year grant with the opportunity to submit a renewal for a second year designed to support the center in establishing strategic plans and hosting focus groups with diverse families. **\$60,000.00**

North Dakota Department of Public Instruction – Parent Involvement Grant – This was a three year grant to assist the department in developing materials to help parents understand and participated in the response to intervention process. **\$35,000.00**

North Dakota DD Council Grant – Discretionary Grant – This is a one year grant that supported the Parent Involvement Conference (parent stipends/speaker with DD) for 2012 and to develop a parent website on rights. **\$13,125.00**

Anne Carlsen Center –Foundation Contract – This is a one year contract intended to support the center in providing leadership and coordination for development of statewide resources including a Teen Night Out program in Grand Forks and Fargo, A Life After High School website, and a curriculum to support parents of children with ASD. **\$25,000.00**

Bank of North Dakota - ND CAN – Access Grant – This is a one-time grant designed to support a regional job fair with hands-on activities for students with learning difficulties who are interested in exploring job opportunities that require a two year college. **\$20,630.00**

Total Grants and Contracts **\$323,023.00**

Services and Accomplishments

The Pathfinder Parent Center provides five types of services: Public Awareness, Outreach, Training, Technical Assistance and Collaboration

1. **Parent Involvement & Technology Conference** - First ever conference with the Anne Carlsen Center, Pathfinder and the Department of Public Instruction. The conference included representation from special education units and family support organizations on the planning committee.

- 247 - people attended the conference
- 90 - people selected the Technology Track
- 157 - people selected the PTI Track
- 91 - parents & consumers attended

Pathfinder contributed \$10,660. In parent stipends and \$3,770 in salaries.

Although some logistical glitches occurred the participants were overwhelmingly positive in their comments. Over 100 people responded to the satisfaction survey.

2. Webinars and Face-to-Face Trainings:

Webinars - Topical Calls were held with Family Voices of ND on: Writing Goals & Objectives, Accommodations & Modifications, Dispute Resolution and Transition at Age 3.

Face to Face Trainings – Attendance at trainings is slowly building.

Partner	Training	#
Dr. Carver – Trinity Health & Souris Valley Special Services	Parenting & Educating a Child with ADHD	25
Carolyn Bluestone Mandaree Elementary School	IEPs – A Toolkit for Realizing Possibilities 504 Planning	15
Parent Involvement Conference, Fargo, ND Pathfinder, Anne Carlsen Center, ND DPI	Numerous state & national presenters	157
Family Voices of ND; Red River Asperger’s Association; Fargo SEPTA; NDAS	Getting to A Free & Appropriate Public Ed.	70
Souris Valley Special Services	Accommodations & Modifications; Response to Intervention	9 6

3. Outreach Events & Meetings – These are examples of some of the meetings we attended.

- | | |
|--------------------------------------|--|
| Minot - Independent Living Fair | Edgeley – Family Leadership Institute |
| Fargo - Multi-Cultural Focus Group | Bismarck - Indian Child Welfare Conference |
| Grand Forks Air Force Base | Jamestown – Anne Carlsen Center |
| Fargo - FEET Team | Ft Totten - Student & Parent Fair |
| Grand Forks ACT Team | Grand Forks- ASTEP Program |
| Bismarck Youth Leadership Conference | Bismarck – Leadership/IDEA/COP |
| Minot CEC Convention | Bismarck – Native American Focus Group |

4. Support Families in Realizing Goals – These projects not only bring in additional revenue but also help us to realize our mission.

Anne Carlsen Center - Creation of a curriculum to support families in **Parenting Children with ASD** – *under construction* – first modules due out fall, 2012.

Grand Forks Special Education; Anne Carlsen Center – Development of recreational and transition services (**Teen Night Out**) for families and students with disabilities – *ongoing*.

Protection & Advocacy –Parents Informed on Education (PIE) – *under construction* – Applied for funding from DD Council; New MOA developed.

South Valley Special Services – Rights information for their website.

Anne Carlsen Center; Statewide Stakeholder Team – Life after High School – Transition – Creation of a comprehensive website with information for families of children with significant support needs.

5. **Public Awareness** – Our E-News is now sent out twice a month and reaches 1751 people. Our click rate averages 15% which is up from a baseline of 2%. We continue to receive positive comments from people on the quality.

Our print news reaches 1953 people, including about 300 people from under-served groups. Our web site receives an average of 182,500 hits per month with November, December and June being the highest months.

Teri has refreshed and coordinated a new Facebook page for our center. We have received 59 likes and with those we have reached approximately 805 people.

6. **Coaching and Technical Assistance** - Pathfinder responds to requests for information and technical assistance from parents, educators and administrators via phone and email. In 2011-2012 we provided information to over 500 people. We provided Coaching or Technical Assistance to an additional 212 families. About 29% of those families come from under-served populations.

7. **Other Accomplishments & Significant Events**

- Pathfinder has received continued funding for the PTI grant by OSEP for the 2012-2013 year.
- The 2012 Glenda Schepp Award for Dedication was awarded to Liz Grzadzielewski.
- The 2012 Glenda Schepp Award for Achievement was awarded to Tammy Gallup-Milnor.
- Cathy Haarstad received a 2012 Family Leadership Award from Family Voices of ND.

Pathfinder continues to be a member of the National Alliance of Parent Centers.

Senate Education Committee
Senate Bill No. 2332
February 11, 2013
Missouri River Room
Honorable Tim Flakoll, Chair

#3

Chairman Flakoll and Members of the Committee, my name is Christine Hogan. I am an attorney for the Protection and Advocacy Project [P&A]. The Protection & Advocacy Project is an independent state agency whose mission is to advocate for the disability-related rights of persons with disabilities. We also act to protect persons with disabilities from abuse, neglect, and exploitation. Education is one of P&A's highest priorities. We support Senate Bill 2332 and wish to offer some friendly amendments that we hope will strengthen the Bill.

P&A advocates for students with disabilities to receive disability-related education services consistent with state and federal laws. One of our roles is to support students, parents, and educators in advocating for students' needs and ensuring students' rights under the law.

As you know, the Individuals with Disabilities Education Act (IDEA) requires all public schools to provide free appropriate public education, called FAPE, to students with disabilities. In plain English, this means ensuring that students with disabilities benefit from their public school education. This is usually accomplished by designing individualized in-school and extracurricular services for kids with disabilities through an individualized planning process. By law, this planning process involves the

child's parents, teachers, school administrators, and other professionals working together in the best interests of the student.

This system is really designed for parents, teachers, and administrators to work as a team, without attorneys or specialized advocates, to ensure that the student receives appropriate education services to meet his or her individual needs. Some parents are fully able to understand and advocate for their child's rights under the education laws and, when they do, the individualized education planning system works smoothly and efficiently.

But often the process can be daunting, and at times even overwhelming, for parents who try to navigate the system alone. Sometimes, parents have difficulty communicating. When parents feel they are not heard, the process can break down, and the student's team can come to an impasse. When that happens, P&A advocates and lawyers can play an important role. For example, we can be helpful in supporting parents in the more formal processes such as due process hearings and dispute resolution sessions.

But P&A is not able to become involved in every dispute, or when parents just need some help communicating with a child's planning team in designing an appropriate education plan. We do not have the staff or the resources to meet the huge need in our state for people who have the experience, training, and specialized knowledge of the educational rights of children with disabilities.

Fortunately, our state does have excellent parent-support organizations who are willing and able to play a key role in helping parents understand their child's rights under the education laws and in helping advocate for them.

We are aware of three highly-qualified statewide agencies that do this important work: Pathfinders, Federation of Families for Children's Mental Health, and Family Voices of North Dakota. P&A has great respect for these organizations and strong relationships with them. We work in partnership with each of them as we try to address parents' needs for support. Each entity offers its own array of services for parents. One offers information, counseling, and other resources to parents. Two are also willing attend educational planning meetings with the parents. All three do excellent work.

I am offering some friendly amendments to S.B. 2332: to increase the funding for parent- support organizations, to increase the number of grants from one to three or more, and to add language that would open up the potential areas of services these agencies can provide.

In closing, I wish to ask for your support for Senate Bill 2332. Thank you for your attention and for offering me this opportunity to appear before you on this important Bill. I would be happy to try to address any questions you may have.

#4

Introduced by

Senators Heckerman, Burckhard

Representatives Brabandt, Frantsvog, Meier, Ruby

1. A BILL for an Act to provide an appropriation for special education support grants.
2. **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**
3. **SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the general
4. fund in the state treasury, not otherwise appropriated, the sum of ~~\$191,106~~ \$600,000,
5. or so much of the sum as may be necessary, to the superintendent of public instruction for the
6. purpose of providing special education support grants, for the biennium beginning July 1, 2013, and
7. ending June 30, 2015.
8. 1. The superintendent of public instruction shall award ~~one~~ three or more grants under this
9. section to qualified persons entities in this state providing support services to ~~help the~~ parents
10. of children with special needs: The purpose of these grants is to help parents of children with
11. special needs use a holistic approach to address all necessary wrap-around services for the child,
12. both in and out of school, including but not limited to:
13. a. Understand the applicability of the Individuals with Disabilities Education Act and other
14. federal laws;
15. b. Prepare for meetings regarding individual education program plans;
16. c. Resolve disputes regarding individual education program plans; and

- 
1. d. Understand diagnoses and identify strategies for effective parenting.
 2. 2. A grant recipient also may commit to serve as a resource for parents of children with
 3. special needs.

#5

**Testimony
Senate Bill 2332
Senate Education Committee
Senator Tim Flakoll, Chairman
February 11, 2013**

Chairman Flakoll and members of the Committee: my name is Carlotta McCleary. I am the Executive Director of ND Federation of Families for Children's Mental Health (NDFFCMH). NDFFCMH is a parent run statewide advocacy organization that focuses on the needs of children and youth with emotional, behavioral and mental disorders and their families, from birth through transition to adulthood.

Families often feel confused, overwhelmed and alone trying to navigate through our service delivery system. Mental Health, Education, Child Welfare, and Juvenile Justice all have different terminologies, policies, eligibility, and regulations. All of which can seem like learning several foreign languages all at once. Children with mental health needs are often engage with these multiple systems in order to meet their complex needs.

These systems must include families in the planning process. Special Education has an individual education program (IEP) team that decides what is needed for that child in order for them to receive a Free and Appropriate Public Education (FAPE). Families need access to family support services for information on their rights and responsibilities in order to truly partner with professionals.

The NDFFCMH provides Parent-to-Parent support for children with mental health needs and their families. The Parent-to-Parent Support program assists families in navigating through the various systems so they are more informed with the various service providers to ensure the needs of their child are met. The majority of the requests we receive from families is to assist them to

understand and advocate for their child in the education system and to attend meetings with them.

We feel that this makes a lot of sense due to the fact that children spend the majority of their time in school. Parent-to-Parent Program provides families with support, education and advocacy to assist families in accessing the services that their child needs. NDFFCMH works closely with Pathfinders and Family Voices of ND to meet the needs of families.

Children with mental health needs have some of the poorest outcomes. However, when families are engaged and able to access needed services that are coordinated with the various systems that are involved in their child's life the outcomes are impressive.

NDFFCMH supports SB 2332 and the amendments offered by Protection and Advocacy.

Thank you for your time.

Carlotta McCleary, Executive Director
ND Federation of Families for Children's Mental Health
PO Box 3061
Bismarck, ND 58502

Phone/fax: (701) 222-3310
Email: carlottamccleary@bis.midco.net

Testimony
SB 2332
Senate Education Committee
February 11, 2013

#6

Chairman Flakoll and Members of the Senate Education Committee

My name is Roxane Romanick and I live in Bismarck, ND, District 47. Today I am testifying on behalf of myself, as a parent of a child with special needs and as the board president for Designer Genes of North Dakota. Designer Genes is a Down syndrome support organization consisting of 200 individuals with Down syndrome and families from across the state of North Dakota. I ask that you give SB 2332 a "do pass" vote.

Because of the provisions of the federal Individuals with Disabilities Education Act (IDEA), Elizabeth has primarily been educated with her class the past seven and a half years. Historically, children with Down syndrome were often institutionalized and not provided with any type of education. Elizabeth was lucky enough to be born at a time when we have started to believe that our general education curriculum is important for everyone to learn. Right now, she's learning about the discovery of the new world and the composition of bacteria. She's in band and choir. While she still requires supports, she requires significantly less supports than she would have if she had not had the earlier experiences that were made possible because of the decisions within her IEP team.

Elizabeth has received early intervention and special education services since she was born. The rights afforded her under the federal law have been critical to her learning and growth. But understanding those rights is not an easy task for families. That's why this bill is so important.

Elizabeth's individual education plan (IEP) is 18 pages long. She has 33 adaptations and 11 objectives on her IEP. She has 14 team members listed not including herself or us, her parents. Eleven of these team members were at her initial meeting this fall. Both my husband and I are educated and experienced individuals, but it requires a great deal from us to contribute to the team in a meaningful way. Frequently, I ask for input from other family leaders and family-based family support organizations to understand how to best meet her needs educationally. Bottom line, we cannot do this by ourselves.

Inherently, our Designer Genes membership shares the topic of accessing special education supports for their loved one with Down syndrome. On a weekly basis, I am called to help families find resources for support to understand what their rights are under IDEA and what services should be offered to their children. If you could attend any event that Designer Genes hold, you would overhear conversations between parents about special education. We depend on organizations, such as Pathfinder Parent Center, to make sure that the information we're getting is dependable.

Families need supports in every part of our state to provide unbiased, accurate and up-to-date information on how to best partner with their education teams. I need support. Please consider family need when you consider your vote on SB 2332.

Sincerely,
Roxane Romanick
Parent and Designer Genes Board President
830 Longhorn Dr.
Bismarck, ND 58503
romanick@bis.midco.net
www.designergenesnd.com
701-391-7421

#7

**TESTIMONY ON SB 2332
EDUCATION COMMITTEE**

February 11, 2013

By: Gerry Teevens, Director of Special Education

701-328-2277

Department of Public Instruction

Mr. Chairman and Members of the Education Committee,

My name is Gerry Teevens. I am the Special Education Director for the Department of Public Instruction. I am here today on behalf of the Department to present a request for clearer guidance regarding the appropriation for special education support grants as set forth in SB 2332.

- Is there an intention that the total sum of \$191,106 be given to one entity?
- If there would be more than one grant award, how large should the grants be?
- Would it be your desire that DPI develop a grant application form?
- What would the reporting requirements be?

Currently, when DPI passes all of the money for a grant through to one agency that occurs when it has been proposed as a pass through grant in the name of a specific organization - examples are Governor's School, Red River Writing Project, Young Entrepreneur Camp, etc., these organizations are specifically mentioned in the amount appropriated to them.

The bill does not specifically mention a particular organization like the Department's pass through grants do. The Department may not have the authority to give it to just one agency. If the language of the bill is not changed, is it the intention that the Department set up a competitive grant application open to all others who may want to tap the funds?

I thank you for your consideration of our clarification request and would be happy to answer any questions you may have.