

HB 1427

Chairman Klemin and Members of the Judiciary Committee, my Name is Ben Schafer and I am the Superintendent of Nesson Public School District #2. I stand before you today with a support/oppose neutral position on HB 1427. The bill, on its face, seems as if it would be a positive for our young people, schools, law enforcement, and the judicial system.

While I realize that change is always hard and I have considered that while preparing this testimony, I wanted to give you an example of what changes like this can mean for the end game for schools and students, my area of expertise.

I want to share with you an example that is specific to our area of North Dakota so you might understand the challenges we've had and better can determine how you might support the Northwest specific to the Ray area. I serve as the President of the WilMac Special Education Board. Within that role, I have worked closely with others as we set out to implement a continuum of care for students returning from residential placements. In the past, students would typically go from residential treatment, directly back into the general student population in our area as we had no way to fill the gaps. After years of work, we finally worked with a local entity to provide a place where students could come back and have a gradual process to be placed back in their home and school. For example, they may be seven days per week right away but we were working with psychologists, special education professionals, and social workers to continue their treatment. After improvement, the student may get to be home on the weekends, etc, then work their way back to becoming a full-time student living at home. While this wasn't perfect, it was better than nothing. The Department of Human Services shut this agreement down just prior to our implementation of the program. They feel as if those services should be taken care of by private providers or the DHS, not schools and SPED units. This stance would be great for us! However, they did not allow us to provide the service and did not put anything in place to fill that gap. There was and is a very real gap in services - our schools and the Special Education Unit have worked to fill that. We are very mindful of the possibility of a continued gap in services due to workforce needs out of our control and a system that is discouraging our schools from backfilling that gap. I would appreciate your help as we work to overcome that hurdle.

The greatest predictor of future behavior is past behavior and that is my concern. DHS felt it was more important to tightly regulate providers than to help kids or come up with a plan prior to shutting down similar providers across the state doing similar work. Harmony House in Devil's Lake was the only facility allowed to remain open because the building is actually owned by the school and it is governed by their board. We often hear, "we are working on that," or "that will be fixed in 2025." However, the gaps that are sometimes created for kids, schools, families, law enforcement, and the judicial system make everyone's job more difficult to do well. Most notably in the Northwest, there is a major issue with employment of competent, capable workers in the fields that would most benefit our kids. The depth and breadth of the issue are so large that I do not

believe, even with the three years dedicated to it in the bill, that the services in the Northwest will be anywhere near prepared to handle the task that is set to be put before them. We love what you wish to do with the combination of the juvenile justice bills - we simply believe from the NW perspective that it will take more time to accomplish.

I support the concept of this bill in premise; however our experience makes me also believe that from the NW perspective that it will take more time to be helpful to our kids. Hence, I cannot stress enough that if this bill were to move forward I would suggest an amendment that ENTIRE boards from education (I suggest the NDCEL Board or the Legislative Focus Group), law enforcement, and the judicial system (and possibly a parental advocacy group) should have to approve the plan prior to implementation to allow for the best possible chance for the success of our kids. I believe strongly that those who are in support of this bill believe that it can fix things for our young people but at the end of the day, we need certainty that this can work for all groups it will affect.

Thank you. I will now stand for any questions.