

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

SENATE CONCURRENT RESOLUTION NO. 4031
(Senators Cook, Flakoll, Kelsh, O'Connell, Redlin, Wanzek)

A concurrent resolution directing the Legislative Council to study the method by which the state funds special education services.

WHEREAS, Public Law 94-142 requires that all children with disabilities have available to them a free appropriate public education; and

WHEREAS, Public Law 94-142 requires that a child with disabilities be educated in the least restrictive environment; and

WHEREAS, Public Law 94-142 requires that a child with disabilities be removed from the regular classroom only when the nature or severity of the disability is such that education in that setting cannot be achieved satisfactorily, even with the use of supplementary aids; and

WHEREAS, Public Law 94-142 requires that a child with disabilities be educated in the school that the child would attend if not disabled, unless the child's individual education program requires an alternative placement; and

WHEREAS, funding by the Legislative Assembly for special education has increased from \$24,176,529 for the 1987-89 biennium to \$40,550,000 for the 1997-99 biennium; and

WHEREAS, many urban school districts are experiencing a significant increase in special education expenditures as families relocate to obtain the best available services;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the method by which the state funds special education services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-seventh Legislative Assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this _____ day of _____, 1999,
at _____ o'clock _____ M.

Secretary of State