

## LEGISLATIVE BILL 102

Approved by the Governor March 21, 1973

Introduced by Savage, 10

AN ACT to amend sections 43-601, 43-611, 43-630, and 43-632, Revised Statutes Supplement, 1972, relating to handicapped children; to provide for care and education of multihandicapped children at state expense; to clarify terms relating to the administration of programs; to provide an exception; to repeal the original sections, and also section 43-639, Revised Statutes Supplement, 1972; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 43-601, Revised Statutes Supplement, 1972, be amended to read as follows:

43-601. The State Board of Education ~~may~~ shall, ~~at-its-discretion-and~~ at the expense of the State of Nebraska, make such provisions as it ~~may~~ shall deem expedient for the care and education of children from birth until completion of a suitable program of education but not to exceed twenty-one years of age, who are both deaf and visually handicapped or otherwise multihandicapped as defined in section 43-629 and for whom there is no other provision in Nebraska law for education and training. ~~Expense---may---include---the employment-of-mother-teachers-and--maintenance--for--both such--mother-teachers--and---such---deaf---and---visually handicapped--children---or---otherwise---multihandicapped children-as-defined-in-section--43-629.~~ The board shall, upon the written request of the parents and guardians, send such children as it considers proper subjects for education, to any institution in the United States of America selected by the board, now or hereafter recognized and accepted as maintaining an accredited or approved school or department to give instruction to such children; and upon like request, and with like approval, the board may shall continue for a longer term instruction of such meritorious pupils recommended by the Commissioner of Education, principal or chief officer of the school which they attend. No such pupil shall be withdrawn from such school except with the consent of the commissioner or of the State Board of Education, in the event such pupils shall be sent to such a school; and the expenses of the instruction and support of such pupils therein, actually rendered or furnished, including their

necessary traveling expenses, whether daily or otherwise, but not exceeding ordinary and reasonable compensation therefor, shall be paid by the State of Nebraska, ~~but the parents or guardians of such children, who are able wholly or in part to provide for their support and care, to the extent of their ability, may be required by the State Board of Education to reimburse the State of Nebraska therefor.~~

Sec. 2. That section 43-611, Revised Statutes Supplement, 1972, be amended to read as follows:

43-611. Sufficient funds shall be appropriated by the Legislature to carry out the provisions of section 43-601 and sections 43-604 to 43-616.01, such funds to be channeled through the office of the State Department of Education and the department shall be authorized to expend such funds upon proper vouchers approved by the department and warrants issued by the Director of Administrative Services for (1) financial reimbursement to local school districts, or educational service units, agencies, and parents or guardians, including full reimbursement for the amount expended pursuant to sections 43-607 and 43-616.01 for actual transportation expenses per year not to exceed four hundred dollars for handicapped and trainable mentally retarded children, (2) instructional aids and consultative, supervisory, research and testing services to local school districts, and (3) salaries, wages, maintenance, supplies, travel, and other expenses essential to carrying out the provisions for special education.

Sec. 3. That section 43-630, Revised Statutes Supplement, 1972, be amended to read as follows:

43-630. There is hereby established ~~for the biennium of 1969-71 and for the biennium of 1971-73~~ a program for the educational, social and medical requirements of multihandicapped children who are residents of the State of Nebraska and for whom there are no other suitable existing services and facilities in the state. This program shall be administered by the University of Nebraska Medical Center in cooperation with the institutions of higher education and elementary and secondary schools in the state and the State Department of Education. The program hereby established shall include: (1) Diagnosis and evaluation of the child's disabilities and needs, medically and educationally, (2) the development of a plan for the medical treatment and management necessary to relieve as many of the physical and mental problems as possible, (3) the development of an educational plan, and (4) coordination of supportive services at the local level.



Sec. 4. That section 43-632, Revised Statutes Supplement, 1972, be amended to read as follows:

~~43-632. The administration of the medical center shall file a report on or before December 31, 1972, of the activities carried on under the program established by the provisions of sections 43-629 to 43-632, the cost of the program, the manner in which the money appropriated by the State of Nebraska therefor has been expended, to what extent it has been reimbursed, and such other information as may be deemed important. The expense of the program established by the provisions of sections 43-629 to 43-632 shall be paid by the State of Nebraska, but the parents or guardians of such multihandicapped children who are able wholly or in part to provide for their support and care, to the extent of their ability, shall be required to make payment for diagnosis of the children's disabilities and needs and for medical treatment received under the program.~~

Sec. 5. That original sections 43-601, 43-611, 43-630, and 43-632, Revised Statutes Supplement, 1972, and also section 43-639, Revised Statutes Supplement, 1972, are repealed.

Sec. 6. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.