

LEGISLATIVE BILL 977

Approved by the Governor May 22, 1971

Introduced by J. James Waldron, 42nd District; John W. DeCamp, 40th District

AN ACT to amend section 43-601, Reissue Revised Statutes of Nebraska, 1943, sections 43-630 and 43-632, Revised Statutes Supplement, 1969, and section 43-611, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 178, Eighty-second Legislature, First Session, 1971, relating to handicapped children; to extend provisions for care and education to multihandicapped children; to provide for continuation of a program for multihandicapped children; to require an appropriation; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 43-601, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-601. The State Board of Education may, at its discretion and at the expense of the State of Nebraska, make such provisions as it may 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, as the board may deem expedient. 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 may, upon the written request of the parents and guardians, send such children ~~who are both deaf and visually handicapped,~~ as it considers proper subjects for education, to any institution in the United States of America, now or hereafter recognized and accepted as maintaining an accredited or approved school or department to give instruction to ~~deaf and visually handicapped~~ such children; and upon like request, and with like approval, the board may continue for a longer term instruction of such meritorious ~~deaf and visually~~

handicapped 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 No such pupil shall be withdrawn from such school except with the consent of the commissioner or of the State Board of Education, in the event such pupils shall be sent to such a school; and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, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 178, Eighty-second Legislature, First Session, 1971, 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, including reimbursement for the amount expended for actual transportation expenses per year not to exceed two hundred dollars for handicapped children forced to leave the district temporarily because of lack of educational and trainable services, (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, 1969, 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 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 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, 1969, be amended to read as follows:

43-632. The administration of the medical center shall file a report on or before December 31, ~~1970~~ 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.

Sec. 5. For the purpose of carrying out the provisions of this act, the Legislature shall appropriate to the University of Nebraska Medical Center the sum of fifty-nine thousand, nine hundred fifty dollars for each year of the 1971-73 biennium.

Sec. 6. That original section 43-601, Reissue Revised Statutes of Nebraska, 1943, sections 43-630 and 43-632, Revised Statutes Supplement, 1969, and section 43-611, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 178, Eighty-second Legislature, First Session, 1971, are repealed.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.