

## LEGISLATIVE BILL 555

Approved by the Governor March 10, 1975

Introduced by Education Committee, F. Lewis, 45, Chmn.;  
George, 16; Kremer, 34; Kime, 43; Burrows, 30;  
Fitzgerald, 14; Rumery, 42

AN ACT relating to the care and education of handicapped children; to provide financial assistance to school districts for resident handicapped children receiving special education services as prescribed; to provide duties of the school boards; to amend section 43-648, Reissue Revised Statutes of Nebraska, 1943; to provide when sections shall expire; to repeal the original section; and to declare an emergency.  
Be it enacted by the people of the State of Nebraska,

Section 1. Within fourteen days after the effective date of this act, each board of education of every school district shall have on file with the State Department of Education a certified list of each resident handicapped child who:

(1) Has received professional diagnostic services since September 1, 1971;

(2) Has actually received special education services since December 31, 1974; and

(3) Is five to eighteen years of age.

Sec. 2. The certified list shall be submitted to the State Department of Education by sworn affidavit signed by the president or any other officer of the board of education of the school district and shall contain (1) the county and school district number, and (2) each handicapped child's name, birthday, handicapping condition, the date last diagnosed by a professional diagnostician, and the primary special education service each handicapped child received.

Sec. 3. (1) The State Department of Education shall, not later than four weeks after the effective date of this act, provide a maximum of two million dollars of financial assistance to school districts which have complied with sections 1 and 2 of this act on the following basis:

(a) For each educable mentally handicapped child, eighty dollars;

(b) For each mentally retarded child, two hundred thirty dollars;

(c) For each emotionally disturbed child, one hundred dollars;

(d) For each orthopedically handicapped child, five hundred dollars; and

(e) For each physically handicapped child, thirty dollars.

(2) If two million dollars is insufficient to provide the financial assistance required in this section, the State Department of Education shall apportion the funds available among the qualifying districts. The sum granted each district shall represent a proportionate reduction from the sum that it would otherwise receive.

Sec. 4. That section 43-648, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-648. Effective July 1, 1974, the State Department of Education shall reimburse each school district for ninety per cent of the excess cost of the special education programs, as defined in section 43-645. The payments shall be made by the State Department of Education to the resident school district in four approximately equal payments, on September 30, December 30, March 30, and June 30. The State Department of Education, in lieu of the March 30, 1975 payment, shall distribute a maximum of two million dollars from funds appropriated in subdivision (4) of section 4, Legislative Bill 1053, Eighty-third Legislature, Second Session, 1974, to the school districts as provided in sections 1 to 3 of this act.

Sec. 5. Sections 1 to 3 of this act shall expire four weeks after their effective date.

Sec. 6. That original section 43-648, Reissue Revised Statutes of Nebraska, 1943, is 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.