

April 1, 1993

LB 597

We will now proceed with Item 8 on the agenda, General File, LB 597.

SENATOR JANSSEN: Madam President and members of the body, Rule 51 of the Nebraska Department of Education...oh, all right.

PRESIDENT MOUL: Senator Janssen.

ASSISTANT CLERK: Excuse me, Senator.

SENATOR JANSSEN: I am sorry.

ASSISTANT CLERK: LB 597 was introduced by Senator Janssen and others. (Read title.) The bill was read for the first time on January 20, referred to the Education Committee. They report the bill directly to General File.

PRESIDENT MOUL: Senator Janssen.

SENATOR JANSSEN: Madam President, members of the body, I am sorry for jumping ahead like that so fast, but I've waited for about a week to get here. Rule 51 of the Nebraska Department of Education contains the regulations and standards for special education programs. Section 11 of Rule 51 provides for certain allowable and reimbursable costs for special education services. More specifically, school districts have been eligible to receive from the state reimbursements toward some of the cost associated with minor building modifications. Before a school district could be eligible for reimbursement, written approval had to be provided by the Department of Education. Once gaining approval, a school district would make the building improvements, submit a claim to the department, and receive the allowable reimbursable costs the following year. In the Third Special Session of 1992, LB 15 eliminated all minor building modifications as a reimbursable expense. The purpose of LB 15, introduced by the Appropriations Committee, was to clarify the state's obligation to reimburse for such expenses and to minimize the financial burden on the state. The bill was presented to the Education Committee for hearing on September 24th of 1992. The issue concerning the consequences of the midyear change in support for programs that districts already budgeted for was raised. However, LB 15 was not modified to make an exception for those school districts which had, in good faith, completed special education projects already approved by the state reimbursement. The floor debate which preceded the