

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 316**

Introduced by Friend, 10; Raikes, 25;

Read first time January 11, 2007

Committee: Education

A BILL

- 1 FOR AN ACT relating to education; to create the Special Education
- 2 Services Task Force; to provide powers and duties; to
- 3 provide for termination; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. The Special Education Services Task Force is  
2 created. Members of the task force shall be appointed on or before  
3 June 15, 2007, and shall include:

4           (1) The chairperson of the Education Committee of the  
5 Legislature and one other member of such committee;

6           (2) One member of the Legislature who is not a member of  
7 the Education Committee of the Legislature;

8           (3) One representative of the Governor;

9           (4) One parent with a child receiving special education  
10 services in a private setting;

11           (5) One parent with a child receiving special education  
12 services in a Class V school district;

13           (6) One parent with a child receiving special education  
14 services in a Class IV school district;

15           (7) One parent with a child receiving special education  
16 services in a Class III school district having nine hundred or more  
17 students;

18           (8) One parent with a child receiving special education  
19 services in a Class III school district having fewer than nine  
20 hundred students;

21           (9) One educational service unit administrator or  
22 educational service unit special education director;

23           (10) One educational service unit special education  
24 teacher;

25           (11) One public school special education teacher;

- 1           (12) One public school special education director;  
2           (13) One school board member;  
3           (14) One representative of an organization advocating for  
4 children;  
5           (15) One representative of the State Department of  
6 Education who has expertise in special education;  
7           (16) One representative of the Department of Health and  
8 Human Services who has expertise in the placement of state wards;  
9           (17) One representative of a private provider of special  
10 education services; and  
11           (18) One representative of postsecondary special  
12 education.

13           The members listed in subdivisions (1) and (2) of  
14 this section shall be appointed by the Executive Board of the  
15 Legislative Council. All other members shall be appointed by the  
16 Governor.

17           Sec. 2. The chairperson of the Education Committee of  
18 the Legislature shall be the chairperson of the Special Education  
19 Services Task Force and shall call the initial and subsequent  
20 meetings of the task force. Members of the task force shall  
21 be reimbursed for their actual and necessary expenses incurred  
22 in carrying out their duties as members of the task force as  
23 provided in sections 81-1174 to 81-1177. The Education Committee  
24 of the Legislature, the Legislative Fiscal Analyst, and the State  
25 Department of Education shall provide research and administrative

1 support for the task force. For budgetary purposes only, the task  
2 force shall be within the Legislative Council.

3           Sec. 3. The Special Education Services Task Force shall  
4 examine the provision of special education services in Nebraska.  
5 The task force shall make recommendations for policies and  
6 potential legislation to the Clerk of the Legislature and the  
7 Education Committee of the Legislature on or before December 31,  
8 2007. The examination of special education services shall include,  
9 but not be limited to:

10           (1) Applicable federal and state laws;

11           (2) The provision of special education services in other  
12 states;

13           (3) Application of the least-restrictive-environment  
14 doctrine;

15           (4) The availability of special education services across  
16 the state;

17           (5) The use of private providers of special education  
18 services by public school districts;

19           (6) The use of private providers of special education  
20 services by private citizens; and

21           (7) The provision of special education services for wards  
22 of the state or wards of the court.

23           The task force may hold one or more public hearings to  
24 obtain input.

25           Sec. 4. The Special Education Services Task Force

1 terminates on December 31, 2007.

2                   Sec. 5. Since an emergency exists, this act takes effect

3 when passed and approved according to law.