

intention with this and having worked with special education and been involved in the study of special education a couple of years ago is to just make sure that we follow the proper procedure as we deal with whether or not what individual education plan the child is going to have within the district or whether they're going to have residential placement. That's all that these...that's all that this language is for.

SENATOR HALL: Thank you, Senator Baack, I appreciate that. And I concur with that. I rise in support of the Baack amendment but I see that as a potential hazard down the road. Hopefully, Senator Baack is accurate and I think he is that this will not prove to be a barrier at any point but I just, for the record, wanted to lay out that the term "appropriate special education" is open to interpretation and I think that we can leave it in the hands of the special educators to determine what is most appropriate for the child and that is clearly the intent of, I think, Senator Baack's amendment and I know it's the intent of...

SPEAKER BARRETT: One minuce.

SENATOR HALL: ...Senator Wehrbein and myself with the introduction of LB 438. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Senator Nelson.

SENATOR NELSON: Mr. Speaker and members of the body, if you open your bill books, you will notice that I was one of the senators that did not vote for moving LB 438 out of committee. Not that I am against the idea or that there is anything particularly that we're giving away something free to someone or the \$349,000 expenditure to the state. These children are entitled to the best of education and the best of services possible. I will tell you what my reservations are and I do support Senator Baack's amendment which does clarify it some. My concern was...and I know that testimony in the committee brought this out too, is that these children will not be placed at home or kept at home if the services...I know in most cases, 90 percent of the cases, the services would not be of the same quality that they would be receiving down in the home. But, again, if districts would use this since all of the costs are being paid by the state, would use this to their gain financially and not to the gain or for the...I shouldn't say gain but for the betterment of the students and some of those