

SENATOR MCKENZIE: That is correct, they will bring recommendations back by November of this year and legislation then would be drafted for introduction next session, and that will include all the specifics dealing with those various issues that people have presented in arguments this afternoon and this morning, those concerns.

SENATOR ROBINSON: I have one remaining question. Has the area of legal fees been discussed at all?

SENATOR MCKENZIE: Senator Robinson, that has been brought to our attention. It has been introduced as a bill before the Education Committee in the past in terms of the state's possible share in some of those court costs where there are challenges presented by parents on behalf of their children.

SENATOR ROBINSON: Okay, thank you.

SENATOR CROSBY: Thank you, Senator Robinson. Senator McKenzie, your light is next.

SENATOR MCKENZIE: Thank you, Madam President and members of the body,. I just wanted to address a couple other concerns that had been brought to my attention that you may be interested in having clarified. On the top...or excuse me, on line 20 or line 1 on page 1392 it says, "The Legislature finds that the funding system for special education programs shall be neutral as to identification and programming of services." Now, people have asked what does that mean, neutral as to identification and programming. Let me remind you that in our current system we are required to identify and verify before you can begin the delivery of services, before you talk about the program, before you do anything else. And what we hope we can do in loosening up all of these very strict rules and regulations is to say that we are providing special education because we know we have children who need it, that the program will be neutral in terms of what we can do and not strictly based on the fact that we have a child here with money to follow. We know we will have the money, we know we have the children, we know we need to verify but we don't have to decide what we do in our program based on the number of children we have and the amount of money we know we're going to have this year based on last year's kids, which is currently what happens. That's also what the following line refers to, "services for students with unique needs shall