

SENATOR BERNARD-STEVENS: I believe that we would have some restrictions on that.

SENATOR CHAMBERS: Could they use it to equalize the disparity between male and female athletic programs?

SENATOR BERNARD-STEVENS: I would hope not and I think we'll make sure, hopefully make sure that would not happen.

SENATOR CHAMBERS: But right now they could, based on the fluid state of what it is we're dealing with.

SENATOR BERNARD-STEVENS: With the understanding of the general concepts, I think they know we won't, but certainly when the legislation comes in in the next year we'd have to clarify. That is correct.

SENATOR CHAMBERS: Now these districts could also not just do a better job of screening, but actually take children who are special education children and not put them in special education programs in order to have more money and say we're going to reduce the property taxes on people in our district by taking this money from these special education children and using it for something else that property taxes would have to go for. Couldn't they do that also?

SENATOR BERNARD-STEVENS: They could, but on the other hand, they're going to be facing a much higher cost because of the lawsuit that would follow.

SENATOR CHAMBERS: How do we know that in these districts in outstate Nebraska, if you don't mind me using that term, will have some family who will have the wherewithal to go to a lawyer who will take a case to challenge the district in terms of their child not being put in a special education class?

SENATOR BERNARD-STEVENS: Because the families that have been struggling in this area for years have gone by their bootstraps, if you would, with anything that they could do to get to the point where we are today. And there are the advocacy groups that are out there now, the mentor groups that are out there now, that are in fact working with the students and the families and they know that if they don't get certain things that there is a remedy for them within the courts so I'm comfortable that will happen.