

LEGISLATIVE BILL 316

Approved by the Governor May 30, 2007

Introduced by Friend, 10; Raikes, 25

FOR AN ACT relating to education; to create the Special Education Services Task Force; to provide powers and duties; to provide for termination; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

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

- (1) The chairperson of the Education Committee of the Legislature and one other member of such committee;
- (2) One member of the Legislature who is not a member of the Education Committee;
- (3) One parent who has a child receiving special education services in a private setting;
- (4) Two parents who have children receiving special education services in a school district;
- (5) Two educational service unit special education teachers;
- (6) One public school special education teacher;
- (7) One public school special education director or educational service unit special education director;
- (8) One private school principal or director;
- (9) One school board member;
- (10) One representative of the State Department of Education who has expertise in special education;
- (11) One representative of the Department of Health and Human Services who has expertise in the placement of state wards; and
- (12) One representative of a private provider of special education services.

The members listed in subdivisions (1) and (2) of this section shall be appointed by the Executive Board of the Legislative Council. The member listed in subdivision (10) of this section shall be appointed by the Commissioner of Education. All other members shall be appointed by the Governor.

Sec. 2. The chairperson of the Education Committee of the Legislature shall be the chairperson of the Special Education Services Task Force and shall call the initial and subsequent meetings of the task force. Members of the task force shall be reimbursed for their actual and necessary expenses incurred in carrying out their duties as members of the task force as provided in sections 81-1174 to 81-1177. The Education Committee of the Legislature, the Legislative Fiscal Analyst, and the State Department of Education shall provide research and administrative support for the task force. For budgetary purposes only, the task force shall be within the Legislative Council.

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

- (1) Applicable federal and state laws;
- (2) The provision of special education services in other states;
- (3) Application of the least-restrictive-environment doctrine;
- (4) The availability of special education services across the state;
- (5) The use of private providers of special education services by public school districts;
- (6) The use of private providers of special education services by private citizens; and
- (7) The provision of special education services for wards of the state or wards of the court.

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

Sec. 4. The Special Education Services Task Force terminates on December 31, 2007.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.