

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB135

Hearing Date: Monday January 25, 2021
Committee On: Education
Introducer: Wishart
One Liner: Change special education reimbursements

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Day, McKinney, Morfeld, Murman, Pansing Brooks, Walz, Sanders
Nay:	1	Senator Linehan
Absent:		
Present Not Voting:		

Oral Testimony:

Proponents:

Senator Anna Wishart
Colby Coash

Kevin Lyons
Jack Moles

Representing:

Introducer
NASB, NRCSA, GNSA, STANCE, STAND 4 SCHOOLS, ESUCC
NDE
Nebraska Rural Community Schools Association

Opponents:

Representing:

Neutral:

Representing:

Submitted Written Testimony:

Proponents:

Ann Hunter-Pirtle
Camdyn Kavan
Jason Hayes

Representing:

Stand For Schools
Open Sky Policy Institute
NSEA

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 135 changes the level of reimbursement the Nebraska Department of Education (NDE) must reimburse of the total allowable excess costs for special education and support services beginning for school fiscal year 2022-23, as follows:

- For 2022-23 and 2023-24, the reimbursement rate must be at least 60%
- For 2024-25 and 2025-26, the reimbursement rate must be at least 70%
- For 2026-27 and each year thereafter, the reimbursement rate must be at least 80%

In all cases, this is a minimum percentage. If the Legislature's appropriation in a given year covers more than the required percentage, costs will be reimbursed at the higher amount.

In compliance with current statute, NDE reimburses a percentage of total allowable excess costs for special education according to a formula. This formula is based on the amount appropriated for such and the amount of the costs.

Currently the appropriation of general funds for special education programs and support services pursuant to Neb. Rev. Stat. Sections 79-1129, 79-1132, and 79-1144 cannot exceed the aggregate amount appropriated in the previous fiscal year plus an additional ten percent (10%). LB135 changes this so the Legislature must appropriate the general funds necessary to fund the reimbursements required pursuant to this bill beginning in fiscal year 2022-23.

Lynne Walz, Chairperson