

March 4, 1980

LB 769

on the committee amendments. Have you all voted? Senator Koch. We are voting on the adoption of the committee amendments to LB 769.

SENATOR KOCH: I am certain, Mr. Speaker, that there are several individuals here who are willing to adopt the committee amendment.

SPEAKER MARVEL: Record the vote, Mr. Clerk.

CLERK: 25 ayes, 2 nays on adoption of the committee amendments.

SPEAKER MARVEL: Senator Koch, do you want to move the advancement of the bill? Explain the bill?

SENATOR KOCH: Mr. Speaker and members of the body, a number of years ago this Legislature saw fit to pass a bill which is still known as LB 403. In that bill we defined various types of terms as they relate to handicapping conditions and there is many cases certain types of definitions become obsolete. We have one specific definition which is obsolete under federal law. That is what we call the term "emotionally disturbed". It was defined in section 43-604. Those who work in the field of establishing certain kinds of programs feel that emotionally disturbed is offensive not only to parents but in many cases to the team that has to make the determination. Now 94-142 has changed the term "emotionally disturbed" to a term that is referred to now in their various books and guidelines as "behaviourally impaired" or behaviourally... yes, behaviourally impaired. Now then, what we are attempting to do is to comply to the federal standards. If we are going to try to identify certain kinds of students, place them in certain kinds of programs, then I think it is necessary that we comply to the term that is being properly used under federal law. That is the intent of this bill. One other part that I will explain to you is that those who work, and I am talking primarily about educational psychologists and teachers and other, feel very strongly that the term "emotionally disturbed" has been a medical term and that term is not applicable to education. These people feel as though that when they try to make this determination, that they may be actually getting into the field of medical terminology. They feel that they are not qualified to do this. However, under behaviourally impaired, they are certain that they can establish a program that this youngster properly is a part of and then try to deal with those problems in the classroom under what we call