

programs regardless of age or other handicapping conditions, and placement in residential care facilities of individuals less than 21 years of age shall be made at no cost to the parent or school district. Any parent, guardian, school district or regional office may appeal the placement decisions as we do in most everything that deals with special education. When interested parties request a hearing with regard to the placement and are not satisfied by such hearing, LB 317 would allow for judiciary review of placement by filing a petition in the District Court. During the time the judicial proceedings are pending, the child shall remain in the current educational placement or be placed in the public schools when applying for the first admission. If during this time the school district determines that the health and safety of the child or other persons is endangered by the delay, it may make such changes it feels is necessary. School districts of student residents would be required to pay the reimbursable cost approved by the State Department of Education. The educational program is operated by the Department of Public Institutions. Excess costs would be the responsibility of the agency providing the service. This proposed legislation would also require the budget submitted annually by the mentally retardation regions to include the anticipated cost for providing residential care facilities for mentally retarded as well as any excess cost, which would not be reimbursable as approved by the State Department of Education. According to our legal counsel of the Education Committee, partial intent of this bill is to allow the tighter monitoring of funds. Presently funds flowing through the State Department of Education to the regional programs are not always looked at very carefully. One further change of LB 317 is the change in mileage reimbursement rate to parents who transport their children to educational programs. The present rate is 17 cents. This would change it to the amount currently paid to state employees and I think Senator Wagner has a bill that is an omnibus bill that is over on Final Reading that we can speak to later on. If you are looking for a synopsis of the bill, we have placed on your desk a synopsis by section. Section 1 is the intent statement. It reiterates the adopted policy of the Nebraska Legislature over a series of years...period of years to serve the residential needs of all handicapped children. Section 2 provides the regional offices of mental retardation are the responsible agencies for the assuring the provision of the necessary services. The regional offices may provide the services directly or contract with other agencies including private vendors for the necessary service.