

SENATOR CARSTEN: Thank you. Senator Vickers, please.

SENATOR VICKERS: Mr. President, members, I, too, and I think the committee also had some concerns about the very issue that Senator Chambers raised. And I'm glad that Senator Chambers raised those issues because we did feel that many school districts, as I mentioned earlier, were using special education programs for what should have been Title 1 programs. Title 1 dollars and programs are designed specifically for individuals who have some needs, some specific needs because of their economic or environmental backgrounds and, therefore, are at a disadvantage because of that. Under the current conditions, we have instances where those young people are placed in special education programs, called learning disabled when really they aren't. That was not fair either to the children, to their families, or, quite frankly, to the state's taxpayers. So, the key language that Senator Chambers...in the area that Senator Chambers was discussing, and I would hope that you would turn to it, it is on page 1 where it describes seriously emotionally disturbed children shall mean children with a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance. I would suggest to you that the main language is that language that says adversely affects educational performance. They cannot be put in those programs when they are, in fact, smart children but simply have economic disadvantages. They have to...it has to tie all of those following characteristics that are described back to that language of adversely affecting their educational performance. That is an attempt, by this committee, to begin to try to define it so that those young people will not be put in those conditions. At the same time, as I indicated earlier, we have to be very careful how we set these definitions so that we don't exclude people who really need to be there either. We do not want to exclude people who really need to be there, nor do we want to put the school districts in a position where they followed our language, and excluded somebody, and then was sued and lost a court case because of it based on the federal mandate. That, I think, is probably the most important part of that particular section, and, as I indicate, I think it would start this state down the road to really taking advantage of and using Title 1 programs in the way that they were designed to be used and should be used. Thank you, Mr. President.

SENATOR CARSTEN: Senator Chambers.