

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 998

Introduced by Walz, 15; Hansen, 26; Howard, 9; McCollister, 20; Morfeld, 46; Pansing Brooks, 28; Quick, 35; Stinner, 48; Vargas, 7; Williams, 36; Wishart, 27.

Read first time January 11, 2018

Committee: Education

- 1 A BILL FOR AN ACT relating to the Educational Service Units Act; to amend
- 2 section 79-1201, Reissue Revised Statutes of Nebraska; to state
- 3 findings; to create the Collaborative School Behavioral and Mental
- 4 Health Program; to provide powers and duties; to create a fund; to
- 5 harmonize provisions; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1201, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-1201 Sections 79-1201 to 79-1249 and sections 2 to 7 of this act
4 shall be known and may be cited as the Educational Service Units Act.

5 Sec. 2. The Legislature finds that:

6 (1) Behavioral and mental health needs of students are frequently
7 identified in a school setting and affect the ability of teachers to
8 teach and the ability of students to learn;

9 (2) The findings of the Adverse Childhood Experiences Study
10 conducted by the federal Centers for Disease Control and Prevention make
11 it clear that childhood experiences have a tremendous impact on lifelong
12 health, wellness, and opportunity;

13 (3) Superintendents, principals, and other school personnel in
14 Nebraska ranked the availability of people to provide behavioral and
15 mental health services as the number one support need for schools in
16 2017; and

17 (4) The creation of a collaborative school behavioral and mental
18 health program with initiatives in each of the educational service units
19 would provide schools with the needed support in the most efficient
20 manner in order to promote classroom learning and prevent student
21 involvement in the child welfare system or the juvenile justice system.

22 Sec. 3. (1) The Collaborative School Behavioral and Mental Health
23 Program is created. The goal of the program is to provide each
24 educational service unit with a social worker (a) to train teachers and
25 other school personnel and (b) to work with parents, schools, behavioral
26 and mental health care providers, and other community resources in order
27 to provide timely, effective, and family-centered services.

28 (2) At such time as the Collaborative School Behavioral and Mental
29 Health Fund reaches a balance of at least three million six hundred
30 thousand dollars, the Educational Service Unit Coordinating Council shall
31 begin implementation of the program pursuant to sections 2 to 7 of this

1 act.

2 (3) Three years after the program is implemented under subsection
3 (2) of this section, each educational service unit shall determine the
4 cost of the program in its service area. If the educational service unit
5 determines that it will continue to participate in the program, the cost
6 shall be born equally between the educational service unit, school
7 districts within the educational service unit, the General Fund, and
8 private donations. If the cost of the program for an educational service
9 unit exceeds the available funds for the educational service unit, the
10 program shall not continue in such service area.

11 (4) Each initiative shall be a partnership between the Educational
12 Service Unit Coordinating Council, the educational service unit, and the
13 school districts within the educational service unit.

14 Sec. 4. (1) At such time as implementation begins under section 3
15 of this act, the Educational Service Unit Coordinating Council shall
16 administer the Collaborative School Behavioral and Mental Health Program,
17 including employing a coordinator for the program and a social worker for
18 each educational service unit.

19 (2) As part of such administration, the Educational Service Unit
20 Coordinating Council shall:

21 (a) Establish requirements for initiatives in each educational
22 service unit to implement the program which include the components in
23 section 6 of this act;

24 (b) Solicit annual program plans from each educational service unit
25 and ensure that the plans meet initiative requirements;

26 (c) Identify evidence-based best practices in interventions for
27 students and coordinate the delivery of evidence-based training to social
28 workers and other school personnel on at least an annual basis;

29 (d) Complete an annual evaluation of the program in each educational
30 service unit based on the number of students referred, assessed, or
31 served, implementation of evidence-based practices, and improved health

1 and academic outcomes for students; and

2 (e) Create and maintain a statewide map of behavioral and mental
3 health services available in the state.

4 Sec. 5. To further the goal of the Collaborative School Behavioral
5 and Mental Health Program stated in section 3 of this act, a social
6 worker employed by the Educational Service Unit Coordinating Council may:

7 (1) Work to empower students, families, and school personnel to
8 access available opportunities and resources to fully develop each
9 student's potential;

10 (2) Administer evidence-based screening tools to identify students
11 in need of services;

12 (3) Administer evidence-based assessment tools, if qualified, to
13 assist in matching students with appropriate health care providers;

14 (4) Meet with school personnel, students, and families to facilitate
15 behavioral or mental health care;

16 (5) Advocate for appropriate services for students and their
17 families;

18 (6) Coordinate access to services provided by outside agencies to
19 students within the educational setting;

20 (7) Maintain case files and reports to track problems and progress
21 and recognize patterns in behavior; or

22 (8) Provide behavioral and mental health care training and support
23 to school personnel and students.

24 Sec. 6. An educational service unit may develop an initiative for
25 implementation of the Collaborative School Behavioral and Mental Health
26 Program within the educational service unit with the following
27 components:

28 (1) Agreements with specific referral sources, including, but not
29 limited to, community behavioral and mental health care providers,
30 nonprofits and other community resources to serve students, public and
31 private schools, and the Nebraska Family Helpline of the Department of

1 Health and Human Services;

2 (2) Training for referral sources to recognize and refer students
3 who could benefit from the program;

4 (3) Strategies to utilize available health insurance or the medical
5 assistance program;

6 (4) At least one social worker who shall meet with families, assess
7 needs, identify barriers to accessing services, and assist with making
8 connections to resources that exist within the community;

9 (5) Plans for mapping services that benefit the well-being of
10 struggling students within the communities in the educational service
11 unit that are being served by the initiative; and

12 (6) Plans for collecting and submitting documentation of outcomes
13 and for participation in evaluation activities as required by the
14 Educational Service Unit Coordinating Council.

15 Sec. 7. (1) The Collaborative School Behavioral and Mental Health
16 Fund is created. The Educational Service Unit Coordinating Council shall
17 administer the fund for the purpose of implementing the Collaborative
18 School Behavioral and Mental Health Program.

19 (2) The State Treasurer shall credit to the fund such money as is
20 (a) transferred to the fund by the Legislature, (b) donated as gifts,
21 bequests, or other contributions to such fund from public or private
22 entities, or (c) made available by any department or agency of the United
23 States.

24 (3) The Legislature shall not appropriate or transfer money from the
25 fund for any purpose other than the purposes stated in this section,
26 except that the Legislature may appropriate or transfer money from the
27 fund upon a finding that such purposes are not being accomplished by the
28 fund.

29 (4) Any money in the fund available for investment shall be invested
30 by the state investment officer pursuant to the Nebraska Capital
31 Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 8. Original section 79-1201, Reissue Revised Statutes of
2 Nebraska, is repealed.