

AMENDMENTS TO LB147

Introduced by Cavanaugh, 6.

1           1. Strike the original sections and insert the following new  
2 sections:

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

5           79-1201 Sections 79-1201 to 79-1249 and sections 2 to 7 of this act  
6 shall be known and may be cited as the Educational Service Units Act.

7           Sec. 2. The Legislature finds that:

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

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

15           (3) Superintendents, principals, and other school personnel in  
16 Nebraska ranked the availability of people to provide behavioral and  
17 mental health services as the number one support need for schools in  
18 2017; and

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

24           Sec. 3. (1) The Collaborative School Behavioral and Mental Health  
25 Program is created. The goal of the program is to provide each  
26 educational service unit with a social worker (a) to train teachers and  
27 other school personnel and (b) to work with parents, schools, behavioral

1 and mental health care providers, and other community resources in order  
2 to provide timely, effective, and family-centered services.

3 (2) At such time as the Collaborative School Behavioral and Mental  
4 Health Fund reaches a balance of at least three million six hundred  
5 thousand dollars, the Educational Service Unit Coordinating Council shall  
6 begin implementation of the program pursuant to sections 2 to 7 of this  
7 act. The program terminates on July 1, 2024.

8 (3) Three years after the program is implemented under subsection  
9 (2) of this section, each educational service unit shall determine the  
10 cost of the program in its service area. If the cost of the program for  
11 an educational service unit exceeds the available funds for the  
12 educational service unit, the program shall not continue in such service  
13 area.

14 (4) Each initiative shall be a partnership between the Educational  
15 Service Unit Coordinating Council, the educational service unit, and the  
16 school systems within the educational service unit.

17 Sec. 4. (1) At such time as implementation begins under section 3  
18 of this act, the Educational Service Unit Coordinating Council shall  
19 administer the Collaborative School Behavioral and Mental Health Program,  
20 including employing a coordinator for the program.

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

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

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

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

31 (d) Complete an annual evaluation of the program in each educational

1 service unit based on the number of students referred, assessed, or  
2 served, implementation of evidence-based practices, and improved health  
3 and academic outcomes for students; and

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

6 Sec. 5. To further the goal of the Collaborative School Behavioral  
7 and Mental Health Program stated in section 3 of this act, the  
8 Educational Service Unit Coordinating Council or an educational service  
9 unit may employ a social worker. If a social worker is so employed, each  
10 school system with which the social worker will interact shall designate  
11 a contact person for each school system in the educational service unit.  
12 Such social worker may:

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

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

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

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

22 (5) Advocate for appropriate services for students and their  
23 families;

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

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

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

30 Sec. 6. An educational service unit may develop an initiative for  
31 implementation of the Collaborative School Behavioral and Mental Health

1 Program within the educational service unit with the following  
2 components:

3 (1) Agreements with specific referral sources, including, but not  
4 limited to, community behavioral and mental health care providers,  
5 nonprofits and other community resources to serve students, school  
6 systems within the educational service unit, and the Nebraska Family  
7 Helpline of the Department of Health and Human Services;

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

10 (3) Strategies to utilize available health insurance or the medical  
11 assistance program;

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

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

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

21 Sec. 7. (1) The Collaborative School Behavioral and Mental Health  
22 Fund is created for the purpose of implementing the Collaborative School  
23 Behavioral and Mental Health Program. For budgetary purposes, the fund  
24 shall be administered through the State Department of Education.

25 (2) The State Treasurer shall credit to the fund such money as is  
26 donated as gifts, bequests, or other contributions to the fund from  
27 private sources.

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

1 fund.

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

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