

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS	\$2,032,050		\$1,997,850	
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$2,032,050</b>		<b>\$1,997,850</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

LB673 amends several sections and creates the Education Behavioral Awareness and Support Act.

Beginning in school year 2021-22, each school district will ensure that behavioral awareness and intervention training is offered annually. Administrators, teachers, paraprofessionals, school nurses, and counselors who have received the training from the school district in which they are employed will receive a behavioral awareness and intervention training review at least once every three years.

Prior to the end of school year 2023-24, each school district will ensure that administrators, teachers, paraprofessionals, school nurses, and counselors have received behavioral awareness and intervention training. Each school district may provide such training, or similar training, to any other school employees at the discretion of the school district. In addition, all school employees will have a basic awareness of the goals, strategies, and schoolwide plans included in such training.

Behavioral awareness and intervention training will include, but not be limited to, evidence-based training on a continuum that includes:

- Recognition of detrimental factors impacting student behavior, including, but not limited to, signs of trauma
- Positive behavior support and proactive teaching strategies, including, but not limited to, expectations and boundaries
- Verbal intervention and de-escalation techniques
- Clear guidelines on removing students from and returning students to a class
- Behavioral interventions and supports that will take place when a student has been removed from a class
- Physical intervention for safety

Each school district will designate one or more school employees as a behavioral awareness and intervention point of contact for each school building or other division as determined by such school district. Each behavioral awareness and intervention point of contact will be trained in behavioral awareness and intervention and will have knowledge of community service providers and other resources that are available for the students and families in such school district.

Each school district will maintain or have access to an existing registry of local mental health and counseling resources. The registry will include resource services that can be accessed by families and individuals outside of school. Each behavioral awareness and intervention point of contact will coordinate access to support services for students whenever possible. Except as provided in §43-2101, if information for an external support service is provided to an individual student, school personnel will notify a parent or guardian of such student in writing unless law enforcement or child protective services is involved. Each school district will indicate each behavioral awareness and intervention point of contact for that school district on the website of the school district and in any school directory for the school that the behavioral awareness and intervention point of contact serves.

On August 1, 2021, the State Treasurer will transfer the balance of the Nebraska Education Improvement Fund, after any transfers into the fund pursuant to §79-8,137.05, to the Behavioral Training Cash Fund. The base training reimbursement will be two thousand dollars. Additional reimbursement is available is available in increments when full-time teachers equivalent exceeds eighty, one hundred and sixty, or two hundred and forty teachers. Reimbursement will be included in the school district's TEEOSA but will not affect their equalization formula and will be paid out to all districts.

On or before September 1, 2021, and on or before September 1 of each year thereafter, each school district will submit a behavioral awareness and intervention training report to the state school security director. This report will include the school district behavioral awareness and intervention training plan, summarize how such plan fulfills the requirements and provide any other information required by rules and regulations adopted and promulgated.

On or before October 31, 2021, and each October 31 thereafter, the state school security director will certify the compliance or noncompliance with the requirements of each school district to the Commissioner of Education.

The Nebraska Department of Education (NDE) estimates the need of one additional FTE, with an estimated expense of \$124,206 for FY 2021-22 and \$128,336 for FY 2022-23, to manage and support the required data collection, payment calculation/distribution, and to provide support and technical assistance to the school districts. Aid to the school districts is estimated at \$1,907,844 for FY 2021-22 and \$1,869,514 for FY 2022-23.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	673	AM:	AGENCY/POLT. SUB: Nebraska Department of Education
REVIEWED BY:	Gary Bush	DATE:	2/4/21 PHONE: (402) 471-4161
COMMENTS: No basis to disagree with the estimate provide by the agency. The salary increase of 4% estimated for FY2023 appears to be unreasonable. The agency has provided salary increases of 1% to 3% over past several years. Technical note: The bill does not provide an ongoing funding source for the provisions of the bill. The funding source appears to be cash funds generated from lottery fund distribution. Under current law, which is not changed by the bill, the funding distribution ends on June 20, 2021. The only source of funds is a transfer of an unknown amount of cash funds from the Nebraska Education Improvement Fund to the Behavioral Training Cash Fund.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	673	AM:	AGENCY/POLT. SUB: ESUCC/ESUs
REVIEWED BY:	Gary Bush	DATE:	1/29/21 PHONE: (402) 471-4161
COMMENTS: Unable to provide a comment as the agency failed to indicate a fiscal impact to the agency.			

Please complete ALL (5) blanks in the first three lines.

**2021**

**LB<sup>(1)</sup> 673**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> NE Dept of Education

Prepared by: <sup>(3)</sup> Bryce Wilson Date Prepared: <sup>(4)</sup> 2/3/21 Phone: <sup>(5)</sup> 402-471-4320

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	\$2,032,050		\$1,997,850	
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$2,032,050</u>		<u>\$1,997,850</u>	

**Explanation of Estimate:**

Creates the Behavioral Training Cash Fund as part of the Lottery resources. The fund is administered by the State Department of Education and requires distribution of money to school districts for behavioral awareness and intervention training requirements.

LB673 requires collection of behavioral awareness and intervention training plans and certifying compliance or noncompliance of the section 79-2,146 (Suicide Awareness Training) for each school district.

The LB further identifies the approach for distributing the fund and allocates a base training reimbursement of \$2,000 for every school building with grades above kindergarten. Additional reimbursement is available in increments when staff full time equivalent exceeds 80, 160 or 240. The training reimbursement will be paid out to school districts as part of TEEOSA but does not affect the equalization formula and will be received by both equalized and non-equalized districts.

The fund is estimated around \$2 million a year, but would also need to include an FTE to manage and support the data collection, payment calculation, distribution, as well as provide support and technical assistance for the districts on the training. NDE estimated the aid using information from the projection of lottery funds for 2021/22 and 2022/23 from the Dept. of Revenue.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Program Associate IV (Behavioral)	1	1	\$64,979	\$67,578
Benefits.....			\$38,274	\$39,805
Operating.....			\$15,838	\$15,838
Travel.....			\$5,115	\$5,115
Capital outlay.....				
Aid.....			\$1,907,844	\$1,869,514
Capital improvements.....				
<b>TOTAL.....</b>			<u>\$2,032,050</u>	<u>\$1,997,850</u>

Please complete ALL (5) blanks in the first three lines.

2021

LB<sup>(1)</sup> 673

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> ESU/ESUCC

Prepared by: <sup>(3)</sup> Kraig J. Lofquist Date Prepared: <sup>(4)</sup> January 27, 2021 Phone: <sup>(5)</sup> 402.953.8456

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

This note is being created to address the **Behavioral Training Cash Fund** found within the aforementioned bill, LB 673.

Any and all funds related to LB 673 are generated by the Nebraska State Lottery, therefore there is no fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____