

UNICAMERAL YOUTH LEGISLATURE OF NEBRASKA  
EIGHTEENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 998**

Introduced by: [TBD]  
Read first time June 11, 2018  
Committee: General Affairs

A BILL

FOR AN ACT relating to the Educational Service Units Act; to state findings; to create the Collaborative School Behavioral and Mental Health Program; to provide powers and duties; to create a fund; to harmonize provisions; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

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

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

Sec. 2. The Legislature finds that:

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

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

(3) Superintendents, principals and other school personnel in Nebraska ranked the availability of people to provide behavioral and mental health services as the number one support need for schools in 2018; and

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

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

(2) At such time as the Collaborative School Behavioral and Mental Health Fund reaches a balance of at least \$3.6 million, the Educational Service Unit Coordinating Council shall begin implementation of the program pursuant to sections 2 to 7 of this act.

(3) 3 years after the program is implemented under subsection (2) of this section, each educational service unit shall determine the cost of the program in its service area.

If the educational service unit determines that it will continue to participate in the program, the cost shall be born equally between the educational service unit, school districts within the educational service unit, the General Fund and private donations. If the cost of the program for an educational service unit exceeds the available funds for the educational service unit, the program shall not continue in such service area.

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

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

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

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

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

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

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

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

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

Unit Coordinating Council may:

- (1) Work to empower students, families and school personnel to access available opportunities and resources to fully develop each student's potential;
- (2) Administer evidence-based screening tools to identify students in need of services;
- (3) Administer evidence-based assessment tools, if qualified, to assist in matching students with appropriate health care providers;
- (4) Meet with school personnel, students and families to facilitate behavioral or mental health care;
- (5) Advocate for appropriate services for students and their families;
- (6) Coordinate access to services provided by outside agencies to students within the educational setting;
- (7) Maintain case files and reports to track problems and progress and recognize patterns in behavior; or
- (8) Provide behavioral and mental health care training and support to school personnel and students.

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

- (1) Agreements with specific referral sources, including, but not limited to, community behavioral and mental health care providers, nonprofits and other community resources to serve students, public and private schools and the Nebraska Family Helpline of the Department of Health and Human Services;
- (2) Training for referral sources to recognize and refer students who could benefit from the program;
- (3) Strategies to utilize available health insurance or the medical assistance program;
- (4) At least one social worker who shall meet with families, assess needs, identify barriers to accessing services and assist with making connections to resources that exist within the community;

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

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

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

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

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

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

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

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**Statement of Intent**

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LB998 aims to aide students who are suffering from behavioral or mental health problems by providing them with preventative care or treatment as needed.

The Collaborative School Behavioral and Mental Health Program would allow each Educational Service Unit to hire a social worker as needed in their area. The social workers would train teachers and other school personnel and work with parents, schools, behavioral and mental health providers and other community resources in order to provide services.

A fund is created and the program will be implemented once it reaches \$3.6 million from private donations. This amount will fund the program for three years. Three years after the program is implemented, each educational service unit will share the cost of the program with its school districts, the state General Fund and private donations.

**Fiscal Note**

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	FY2018-19		FY2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>	See below		See below	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>				

LB998 has no definite initial fiscal impact for the state in terms of expenditures because it does not require a specific appropriation of general funds to the Collaborative School Behavioral and Mental Health Fund. When the fund reaches \$3.6 million and the program has been implemented for three years, then the bill will have a fiscal impact for the General Fund in the ESUs that opt to continue the program.