

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB912

Hearing Date: Monday February 28, 2022
Committee On: Education
Introducer: Morfeld
One Liner: Provide for mental health first aid training for school districts and change provisions relating to the use of lottery funds

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Day, Linehan, McKinney, Morfeld, Pansing Brooks, Sanders, Walz
Nay:
Absent:
Present Not Voting: 1 Senator Murman

Oral Testimony:

Proponents:
Senator Adam Morfeld
Kraig Lofquist

Representing:
Introducer
Educational Service Unit Coordinating Council, Nebraska
State Education Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 912 establishes the mental health aid training program and permanently extends the education allocations of lottery funds.

Section 1:

The Nebraska Department of Education (NDE) must establish a training program in mental health first aid for teachers and other employees of a school district or educational service unit participating in the mental health first aid grant described in section 3.

The training must be given by trainers who have been properly certified by a national organization for behavioral health to provide training that meets the requirements of this section.

The training must also provide an opportunity for teachers and other designated employees to become trainers in mental health first aid.

The mental health first aid training must include training on:

- a) The skills, resources, and knowledge necessary to assist students in crisis to connect with appropriate local mental health care services;
- b) Mental health resources, including the location of local community mental health centers; and
- c) Action plans and protocols for referral to such resources.

A person receiving training must also receive instruction preparing him or her to:

- a) Safely de-escalate crisis situations;
- b) Recognize the signs and symptoms of mental illness, including such psychiatric conditions as schizophrenia, bipolar disorder, major clinical depression, and anxiety disorders; and
- c) Timely refer a student to mental health services in the early stages of the development of a mental disorder to avoid subsequent behavioral health care and to enhance the effectiveness of mental health services.

Section 2:

LB912 amends Neb. Rev. Stat. 9-812(4) related to the Nebraska Education Improvement Fund, which receives 44.5% of the lottery funds remaining after prizes and operating expenses are paid and a specific transfer is made to the Compulsive Gamblers Assistance Fund. Specifically, LB912 strikes the sunset provisions so that the education lottery allocations no longer end after year 2023-24 and instead continue every fiscal year. Pursuant to 9-812, 10% of the revenue received in the prior fiscal year must be retained in the fund; allocations are then made one of which is the Department of Education Innovative Grant Fund which receives 17%.

Section 3:

Requires the State Board of Education (Board) to establish innovation grant programs that include, but are not limited to, the following:

- a) Mental health first aid;
- b) Early literacy;
- c) Quality instructional materials;
- d) Personalized learning through digital education; or
- e) Other innovation areas identified by the Board.

These are established with funding from the Innovative Grant Fund pursuant to section 9-812.

Currently and under LB912, school districts, educational service units, or combinations of entities that includes at least one school district or educational service unit (ESU) can be a grantee. However, this bill strikes the requirement that an ESU or a school district is required to be the fiscal agent and administer the fund for a grantee.

LB912 also eliminates the requirement that the grants only be awarded to applications that are sufficiently innovative and have a high chance of success. It renames "grants" or "projects" to "grant programs". Finally, it removes the 2019 sunset on grant program evaluations to be submitted to the Board requiring them to be conducted annually.

Explanation of amendments:

The Committee considered and adopted AM2214 which substitutes for the bill and revises the language of LB912 as introduced. The original provisions of LB912 are amended as follows:

In Section 1, schizophrenia and bipolar disorder have been eliminated as psychiatric conditions that the mental health first aid training is required to include for which teachers and other school district personnel are to be trained to recognize the

signs and symptoms. Intent language is added that this training be funded using lottery money pursuant to Neb. Rev. Stat. 9-812.

Section 2 of the original bill, related to an allocation of lottery funds to pay for such training, has been eliminated.

In Section 3 of the original bill, the changes made to the competitive innovation grants now take effect after July 1, 2024.

AM2214 adds a new Section 3 indicating that Section 1 becomes operative on July 1, 2024, and that other sections of the act become operative on their effective date.

Lynne Walz, Chairperson