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Education Committee
February 12, 2018

[LB801 LB998 LB1081]

The Committee on Education met at 1:30 p.m. on Monday, February 12, 2018, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB801, LB998, and LB1081. Senators present: Mike Groene, Chairperson; Rick Kolowski, Vice Chairperson; Laura Ebke; Steve Erdman; Lou Ann Linehan; Adam Morfeld; Patty Pansing Brooks; and Lynne Walz. Senators absent: None.

SENATOR GROENE: Welcome to the Education Committee public hearing. My name is Mike Groene, from Legislative District 42. I serve as Chair of this committee. Committee will take up the bills in the posted agenda. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. To better facilitate today's proceedings I ask that you turn off the cell phones and other electronic devices. Let's keep the front chairs open for people who are going to be testifying, so when you're done testifying move to the back and anybody else come up to the front so we can eliminate wasted time if people change chairs to testify. The order of testimony is introducer, proponent, opponents, neutral, and closing remarks. If you will be testifying, please complete the green testifier sheet and hand to the committee clerk, page when you come up to testify. If you have written materials that you would like distributed to the committee, please hand them to the page to distribute. If you are not going to publicly testify or need to leave early, you can turn in a written testimony with a completed green testifier sheet. We need 12 copies for all committee members and staff. If you need additional copies, please ask the page to make copies for you now. When you begin to testify, please state and spell your name for the record. How many folks here today are here to testify? We have three bills, so we'll go three minutes...we'll go four minutes and see how it...how it goes for the second bill. When you see a green it will be for three minutes, then we'll see a yellow for one minute, then a red will come on; a total of four. If you would like your position to be known but do not wish to testify, please sign the white form at the back of the room and it will be included in the official record. If you are not here to testify in person on a bill and would like to submit a written position letter, it had to be in by five o'clock yesterday afternoon, into my office. Additionally, the committee members with us today...I'll skip that part...will introduce themselves beginning at my far right.

SENATOR LINEHAN: Good afternoon. Lou Ann Linehan, District 39; western Douglas County.

SENATOR KOLOWSKI: Good afternoon. Rick Kolowski, District 31; southwest Omaha.

SENATOR EBKE: Laura Ebke, District 32, which are the four counties just southwest of here and a little piece of Lancaster County.

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SENATOR MORFELD: Adam Morfeld, District 46; northeast Lincoln.

SENATOR ERDMAN: Steve Erdman, District 47; ten counties in the Panhandle of Nebraska.

SENATOR GROENE: I'm assuming Senator Pansing Brooks will be here, she never said otherwise. Senator Walz is now introducing a bill in another committee. She will be here to introduce her bill, which is up second. You might see us typing or on electronic devices or a phone. It's normally that we are looking up something or...information or getting back to our office to look something up for us so we can ask pertinent questions. Otherwise, we'll get started and...let's go. Senator Stinner, LB801. [LB801]

SENATOR STINNER: Good afternoon, Chairman Groene and members of the Education Committee. For the record, my name is John, J-o-h-n, Stinner, S-t-i-n-n-e-r. And I represent the 48th District comprised of all of Scotts Bluff County. LB801 is a pilot project named the Panhandle Beginnings Act which seeks to establish a collaborative educational and therapeutic facility in the Panhandle. The intent is to create a facility that can fulfill the need for day treatment, day school, and intensive outpatient services for school-age children. It is my intent to fund the project for fiscal years 2018 through 2023 with the exception that it...with the expectation that it will meet self-sufficiency in the long run and be replicated in other areas of Nebraska where similar services...service deficiencies exist. Most of these areas most likely will be in rural areas. Under the provision of LB801, an advisory board would be created to oversee the operation of Panhandle Beginnings. It would be comprised of seven members appointed by the Governor: two representatives of the ESU unit 13, two from Region 1 Behavioral Health Authority, two from any of the school districts in the Panhandle and one private industry professional. There will be a mix of both administrators and specialists to ensure expertise is utilized and the facility runs efficiently. Panhandle Beginnings would serve a crucially important function in the Panhandle as a therapeutics treatment center which is able to fulfill curriculum requirements. Many of the school districts in the Panhandle have increasing pressure put on them to serve the behavioral health needs in their district. Unfortunately, we have not received adequate federal funds to fulfill these obligations and there is a great need for a facility to fill that gap. I want to point out that this facility would be voluntary only, requiring the consent of parents or legal guardians and available to children with lower-level needs than intensive in-patient facilities. It's important that we get ahead of the curve before the impacts of behavioral health have further consequences down the road. Many of these consequences put a strain on the existing school resources and juvenile services, not to mention the families in the Panhandle. Funding for Panhandle Beginnings would initially be incurred in the form of state aid, but over time would level out to pay for itself as it establishes itself. Funding would come from a variety of sources including Medicaid, school districts, and private insurance. Over time, I expect that it would become self-sufficient and cost the schools no more than the currently incurred for per-pupil cost. I've got a number of testifiers here from western Nebraska who have put a lot of work

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behind this initial proposal and can help with the details behind their proposal and this bill. Thank you, and I would welcome any questions. [LB801]

SENATOR GROENE: Questions from the committee? Senator Kolowski. [LB801]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. Senator, thank you for your presentation and for the outreach that you're providing with this. My one question is simply, where does the role of the ESUs come into play with all that we have going on with them across the state compared to what you're asking for here? [LB801]

SENATOR STINNER: Well, the ESU is really the unit that pulls all 11 school districts together in the Panhandle. It's kind of an umbrella organization; provides a lot of other types of services throughout the Panhandle and it's really a critical organization for us. [LB801]

SENATOR KOLOWSKI: This...you don't see this as duplication of the efforts they provide and the services that they render the schools? [LB801]

SENATOR STINNER: I do not. Based on what I know about the ESU and the services that we're providing right now, we do have and what our survey says is it estimates about 30 to 40 of these types of children with high-level problems need additional therapeutic services over and above what is offered today...what is possible today. [LB801]

SENATOR KOLOWSKI: Okay, thank you. [LB801]

SENATOR GROENE: Senator Linehan. [LB801]

SENATOR LINEHAN: Thank you, Chairman Groene. Thank you, very much, Senator Stinner, for bringing this important legislation. Is there an effort for any of these children to be covered...would they be covered by Medicaid? Is that one of the ways to help pay for it? [LB801]

SENATOR STINNER: One of the ways is Medicaid. There is the possibility there's private insurance as well. And then we'd be looking for other federal grants and other programs that might be applicable to this. [LB801]

SENATOR LINEHAN: So are there practitioners in Scotts Bluff that are qualified, or is that an issue for you as well? [LB801]

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SENATOR STINNER: We do have technicians to take care of what our expectations are as it relates to the children that it'll be serving. [LB801]

SENATOR LINEHAN: Okay, thank you, very much. [LB801]

SENATOR STINNER: I do have people that can actually talk that language... [LB801]

SENATOR LINEHAN: Okay. [LB801]

SENATOR STINNER: ...and give you a lot more insight into it. [LB801]

SENATOR LINEHAN: Okay. [LB801]

SENATOR GROENE: Senator Erdman. [LB801]

SENATOR ERDMAN: Thank you, Senator Groene. Thank you, Senator Stinner, for being here. In your statement of intent it talked about two representatives from Regional Health...Region 1 Behavioral Health Authority. There's some talk that they're going to eliminate that situation, is that true? [LB801]

SENATOR STINNER: It is on the agenda for the Panhandle Mental Health Group, which is different than the regional... [LB801]

SENATOR ERDMAN: Okay. [LB801]

SENATOR STINNER: ...I believe. [LB801]

SENATOR ERDMAN: All right. Then, on the fiscal note it talks about--at the bottom of the first page--it says: school district sending school-age children to...another child in the program will have to pay the entire cost of the special education program for '18 and '19 and will be reimbursed 50 percent of the cost in '19 and '20. State aid will cover approximately 50 percent of the cost in the remaining years of the program through the fiscal year '22 to '23. So the other 50 percent is going to go to property tax? [LB801]

SENATOR STINNER: No. Actually, there's two parts of this; there's the school part that the ESU picks up, that's about a \$500,000 ask. If you divide that into 30--we're trying to make it revenue neutral for the school districts to pay that. The other part we think there's a Medicaid,

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Medicare. We're also looking at, you know, private donations and things of that nature that might come into play here plus other government grants. We're actually starting to look at criminal justice side of things and juvenile justice and how maybe that relates to this as well. So, it's a work in progress as it relates to some kind of braided financing. But property tax will not be a part of it. [LB801]

SENATOR ERDMAN: It has a pretty heavy fiscal note, according to what they say. [LB801]

SENATOR STINNER: Actually, it is a heavy fiscal note but there are two aspects, as I said. Medicaid will cover, probably, the clinical side of things. There's about a \$500,000...\$494,000 or \$496,000 annual operating cost to be born by participants in school districts. ESU will probably have some say in that as well. We're trying to drive those costs down to a revenue-neutral side. I think if you look at other comparable throughout the state, I think the average is about \$31,000 per student. So we've got to figure out a way of getting other types of financing put into this thing to make sure that it's neutral to the school district. [LB801]

SENATOR ERDMAN: So as this pilot project rolls out there in the Panhandle, what does the rest of the state do? [LB801]

SENATOR STINNER: Rest of the state will probably sit and watch. [LB801]

SENATOR ERDMAN: I mean they're not (inaudible)... [LB801]

SENATOR STINNER: You know and I know, we're a long way away from the next service. I think Neligh is our closest, possibly Cathedral Center over in Wyoming would be another place that these children would go. We send them a long way from home right now. [LB801]

SENATOR ERDMAN: All right, thank you. [LB801]

SENATOR GROENE: Any other questions? Thank you, Senator Stinner. [LB801]

SENATOR STINNER: Thank you. [LB801]

SENATOR GROENE: Proponents. [LB801]

CARLY WEYERS THROUGH INTERPRETER: (Exhibit 1) Good afternoon, Senator Groene. My name is Carly, C-a-r-l-y, Weyers, W-e-y-e-r-s. The letter you're going to receive explains my

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job about a...as a behavioral health coordinator for the Nebraska Commission for the Deaf and Hard of Hearing. I work with a lot of mental health services in the state of Nebraska. NCDHH has five offices in Nebraska: Lincoln, Omaha, North Platte, Kearney, and Scottsbluff. I've worked with a lot of mental health services here in Lincoln, Omaha, Kearney--it gets less, and then North Platte and then, of course, the Panhandle area is very lacking. The purpose of my job is to make sure that people who are deaf and hard of hearing, our clients in Nebraska, receive full mental health services through 100 percent communication access. That's so critical. People who are deaf and hard of hearing have mental illnesses due to lots of reasons. Delayed language, maybe they didn't acquire language or they had language deprivation, and then the people who are serving us don't know how to work with these clients. So, those five offices that we have, in Scottsbluff I'm not really able to work with many facilitators there in Scottsbluff, so what do I do with clients there? I say, well, your options are Lincoln and Omaha, Kearney might be a little bit bigger. But that's not fair to them and their families to have to move out of state to receive appropriate behavioral health services. I think it's time to set up behavioral health where I can actually work with these clients, not those only that are deaf and hard of hearing, but everyone to receive behavioral health access outside of Lincoln and Omaha. Thank you for the opportunity to testify and I'm open to any questions that you may have. [LB801]

SENATOR GROENE: Any questions? Thank you. Next proponent. [LB801]

JEFF WEST: (Exhibits 2-8) Good afternoon. I'm Jeff West, J-e-f W-e-s-t, the administrator at ESU 13 in Scottsbluff and it is in this capacity that I provide my support for LB801. I'd like to thank Senator Stinner and research analyst Mitch Clark for their efforts in drafting the legislation. I also want to thank Chairman Groene for allowing LB801 to have a hearing today. Currently the Panhandle in Nebraska has limited resources to detect and treat mental illness in school-age children. There is no access to publicly or privately funded entities which provide day treatment services for youth. In a 2017 Nebraska school district mental health survey that was compiled by 17 ESUs, when school districts in ESU 13 area were asked do you currently have access to alternative placement options for students in your district with significant mental health issues, 73 percent of the superintendents responded no. And the main roadblocks for them were financial and location. LB801, or the Panhandle Beginnings Act, is a collaborative therapeutic educational setting and partnership between ESU 13 and Region 1 Behavioral Health and the 21 school districts of the Panhandle. Panhandle Beginnings will be a combined day school, day treatment facility in western Nebraska. We believe this proposal represents an example of the best of what our state can offer Nebraska's children. This proposal is innovative in that it is evidence-based, it keeps the students at home with their support system nearby, and it allows them to stay on track with their academics by working on their local school district curriculum. This proposal is a collaboration between numerous entities with expertise that give children the greatest opportunity to succeed in addressing the issues they face. Those of us who live in the Panhandle have learned the importance of collaborating and finding ways to partner. We do that

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very well, mostly out of necessity. But an interesting by-product of working together has been able to find the ability to braid or consort funds, share expertise, and reduce or eliminate duplication of services. We testify today with a uniquely western Nebraska solution to a uniquely western Nebraska problem. We are not coming here today saying we have a problem and need you to help us solve it. We are here saying there is a problem and here is our solution. While LB801 is a pilot program to address a lack of facilities in western Nebraska, this is a concept that can be replicated in other parts of the state and can be scaled up or down depending on the needs of that region. Our state should recognize and encourage bold, innovative thinking to address problems that face our children and families. We feel this is an example of bold, innovative thinking. We are also proud of the fact that this has not become an east-west, urban-rural issue. Behavioral mental health concerns are a statewide problem that needs to have a statewide solution. I close with a personal story of a dear friend of mine that asked me not to use his name. This family has a mentally ill child who was diagnosed at age 14. Quote: The school system had few resources with experience to establish any kind of plan for effective assistance. Older siblings tried to protect him at school from social abuse, the school counselors went far above and beyond with limited support and somehow he, and we, made it through high school. Who knows the difference in his life had there been a mechanism in place with resource support to address the special educational needs of one who is mentally ill. We know the state's budget is tight, but this is critical. Please share that the mentally ill youth fall through the cracks every day. Kicking the can down the road will only lose some of those youth forever, close quote. Having spent almost 32 years in education, all of them in this state, I have always taken great pride in how our state leaders have always found a way to take care of our elderly and most our vulnerable citizens. LB801 is an opportunity to show that caring leadership in this state once again. Thank you for your consideration of LB801. And I'd be happy to try and answer any questions you have. [LB801]

SENATOR GROENE: Thank you. Any questions? Senator Kolowski. [LB801]

SENATOR KOLOWSKI: Mr. Chairman, thank you. Mr. West, thank you for your testimony. It's good to hear. And I wanted to ask; from the ESU perspective, how do you see these two concepts meshing and living together and doing the job that you're talking about in the future? [LB801]

JEFF WEST: Yeah, that's a good question; I appreciate it, Senator. I don't see it as a duplicate of service in that in this plan we're going to be hiring people who are credentialed and have expertise that many ESU simply don't have. I think we have one person on staff right now at ESU 13 who would have the credentialing and the expertise to be able to work with schools, with kids, that have these kinds of problems. So I think it's a separate program. It's a program that's going to require a different type of staffing, a different credential, a different level of expertise that just most ESUs don't have. [LB801]

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SENATOR KOLOWSKI: Do you see this continuing to be an ESU service, quote unquote, as far as where it might be housed or coordinated or organized from... [LB801]

JEFF WEST: I think we'll be a part of it. Quite honestly I would be willing to give it to anybody else who might decide they want to come to the Panhandle and do this work. But the fact that we have not been able to have a facility like this and right now we have no one, that's either privately or publicly, can provide the service. It really came about in a conversation with our school districts, where they continued to come to me as the administrator saying behavioral and mental health issues continue to be an escalating problem in our schools, and not just bad behavior, but violent behavior. And just not having the resources or the capacity to deal with them. And so we were hearing it from multiple sources within the ESU of folks that were going out, whether it was our special education department, whether it was alternative education, whether it was a meeting with superintendents, we just kept hearing it over and over again that we need help and they turned to us to try to help them. [LB801]

SENATOR KOLOWSKI: My questions are not in any way, shape, or form on the negative side... [LB801]

JEFF WEST: No, I understand. [LB801]

SENATOR KOLOWSKI: ...of what you're trying to do. It's a coordination aspect of how do we put this together. And every student in the state needs services, excellent educational services or other support services as needed; whether they're in the smallest district in western Nebraska or something in the metro area as far as downtown Omaha. It doesn't matter, it's important that we try to help those kids that have those needs. It's just a matter now of distance and time and energies and money, trying to make that happen, and to alert those services to kids. [LB801]

JEFF WEST: Yeah. I think the interesting thing that we're trying to do with this bill is not only will we have a central location for the facility in Scottsbluff, because that's where the density of the population is and that's where most of the kids will come from, but we're also...part of the bill is to do an outreach consultant who will go out and work with our northern and southern tier schools and we're actually having conversations as we speak, you know when a bill gets a hearing everybody all of a sudden becomes interested in what you're doing. And so we're looking at the possibility of having partnerships in the northern Panhandle and the southern Panhandle, and maybe do some kind of a satellite outreach to those parts of the Panhandle because to try to put a kid in a van and drive him two and a half hours from Gordon to Scottsbluff is not realistic. And so, how do we take this service and get it closer to the schools and to the children up north and down south. And I think our plan can try to address that distance that you're talking about. But it was like, kind of when I talked to you guys three weeks ago about

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Head Start; you know, it's one of those things that that...you know, I wasn't looking for that. It's just the uniqueness of the Panhandle and the capacity that we have out there. There are just certain organizations that have the capacity to do these kinds of things. And as the case with Head Start and now as the case with this, the schools came to us as the person...or the organization that they thought had the best chance of making it work. [LB801]

SENATOR GROENE: Any other questions? Senator Linehan. [LB801]

SENATOR LINEHAN: Thank you, Chairman Groene. Thank you, again, for being here. Is there...is there a day school that you're emulating here? [LB801]

JEFF WEST: The program originally started with a conversation I had with Scottsbluff Public Schools. And Rick Myles is the superintendent, and so he'll be testifying here shortly. He can talk to you more about the specifics of where the original concept came from. But to answer your question to some degree; what's unique about this is we...instead of just day treatment...day treatment has a very narrowly medically defined process for how you address kids who fit that definition. It's a very narrow definition. And our view from talking with our schools was we have kids out there that will not meet the medical definition of day treatment, which is very narrow. And so that's why we expanded it to also be a day school program because then we can service the kids who do not meet the medical definition of day treatment--which is very narrow and would only deal with a small number of kids. How do we expand that to get to more of the other kids who also have some mental health issues but don't meet the medical definition? And so that's why it's both day treatment for the kids who are most in need of that really intensive service, but yet day school is also there for both kids in day treatment and those kids who don't quite fit the medical definition but also have mental health issues too. So it's a way of going to maybe 10 kids to be able to serve 30 or 40 kids. So that's why we have both. [LB801]

SENATOR LINEHAN: Is there somebody that's going to testify from the medical profession? [LB801]

JEFF WEST: Yes... [LB801]

SENATOR LINEHAN: Okay. [LB801]

JEFF WEST: ...Dr. Carrizales will be here to talk about the therapeutic side, Laura Barrett will talk about the school side, and then Rick is going to talk about how this would affect Scottsbluff public schools. [LB801]

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SENATOR LINEHAN: Perfect, thank you. [LB801]

JEFF WEST: You bet. [LB801]

SENATOR GROENE: Looking at the statutes on ESUs, their powers and mission...role and mission, you already have the authority to identify this as a core service and do it. [LB801]

JEFF WEST: Correct. [LB801]

SENATOR GROENE: You can hire mental health professionals, an ESU can, if that's a top priority within your own budget. [LB801]

JEFF WEST: Correct. [LB801]

SENATOR GROENE: You can take an old school building and do this. [LB801]

JEFF WEST: Correct. [LB801]

SENATOR GROENE: You don't need us to tell us you can do that. [LB801]

JEFF WEST: Correct. [LB801]

SENATOR GROENE: I believe, don't quote me, ESU 16 in North Platte has an old school building that was closed as enrollment dropped and they bring students in from Hershey and stuff that are the high end and they go there. They're already doing it. [LB801]

JEFF WEST: Correct. [LB801]

SENATOR GROENE: So, is this just looking for funding or could you have the authority to already do this? [LB801]

JEFF WEST: We do. Senator, kind of what my view was is...I spoke about it a little bit earlier; I think it's a state issue. And I think it's something the state should try to pay for, quite honestly. And so our view is we understand it's regional, we understand it's for the Panhandle. But give us a chance to find some money to fund a pilot. We believe we can do it really well, and then I think it's something that can be replicated across the state. And I, personally, don't think it should fall

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on the taxpayers of the Panhandle of Nebraska to pay for this. And so we're coming to say we think this is a state responsibility, help us fund a pilot, just let us get off the ground and show you what we can do, give us four years and we'll show you some results that we think will show that it works. And then if I'm right...and if not I'll come back, I guess take the abuse of it not working, but I believe it will work. Then we can replicate it across the state. It could become a statewide system and it could be done much cheaper, I think... [LB801]

SENATOR GROENE: I hate to interrupt you, but... [LB801]

JEFF WEST: No, no, I'm sorry. [LB801]

SENATOR GROENE: ...you answered my question... [LB801]

JEFF WEST: Okay. [LB801]

SENATOR GROENE: ...but, aren't we...as my dad used to say; you know you're getting old when what's old is new again. Isn't that what we used to do, is isolate these kids in an institution and the big push now is inclusion in our schools? But this is contrary to that. You're going to remove them and you're going to create an isolated facility. [LB801]

JEFF WEST: That's a great question. And here's how I would answer that. It's the least...most...least restrictive environment. So the way it's set up...so let's say there's a school district out there with a child that's just all kinds of problems. So they have to go through at least two different sets of team meetings within their multidisciplinary team that schools have with kids who are having problems. They have to try something for four to six weeks, then see how that goes, get back with the team. Then go back a second time, do another session for four to six weeks, and then they can approach us about, okay, as a team--which includes the parents on this team--we feel like this might be the most...the least restrictive environment for this child now because we've tried all of these things that just aren't working and it continues to be a problem. And I think that's the biggest issue, when you talk about behavioral health versus mental health. We see it...I see it as almost behavioral health is a byproduct of the mental health that underlies the problem. And so what we're doing is we're bringing the child into our setting where the therapeutic side is going to deal with that underlying core problem, that mental health problem that's leading to the behavior. [LB801]

SENATOR GROENE: All right. [LB801]

JEFF WEST: And as soon as we can we get them back in the school. [LB801]

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SENATOR GROENE: In eastern Nebraska, they take them to the Munroe-Meyer Clinic. Is this a version of that in western Nebraska? [LB801]

JEFF WEST: Ours is...yeah, ours is a little different from them. I can't speak to the specifics, there will be people that will follow me that can tell you how we might be different from what they're doing. But I think what the state of Nebraska will tell you is you need to keep kids in the most...in the least restrictive environment as possible, get them back in the school as quickly as possible. We're talking about kids that the schools have spent weeks and weeks, if not months and months, and tried everything they can and now they as a district and a team, including the parent, has decided they want to come to us. We'll work with them and as soon as we can, we're going to reintegrate them back into the school as fast as possible... [LB801]

SENATOR GROENE: Thank you. [LB801]

JEFF WEST: ...and while they're there they're getting all kinds of support they need. [LB801]

SENATOR GROENE: Thank you. [LB801]

JEFF WEST: Yeah. [LB801]

SENATOR GROENE: Any other questions? Thank you, sir. [LB801]

JEFF WEST: Thank you. [LB801]

SENATOR GROENE: Next proponent. [LB801]

KATHERINE CARRIZALES: (Exhibit 9) Good afternoon, Chairman Groene and members of the Education Committee. And thank you for your time and attention to such an important topic of one of our most vulnerable populations. For the record, I'm Dr. Katherine Carrizales, K-a-t-h-e-r-i-n-e C-a-r-r-i-z-a-l-e-s. I'm a licensed clinical psychologist and a nationally certified school psychologist. I'm here today to testify in support of LB801, the Panhandle Beginnings Act, which allows the creation of a pilot day treatment, day school. A level of intensive therapeutic service that has not before been available to those of us in western Nebraska. Throughout my work in the schools and private outpatient clinic, I have seen an increase in need for more intense mental health support. In fact, currently mental health disorders are the most common disease of childhood; 23 percent of youth in the United States have or have had a psychiatric disorder. This is more than the total number of children with cancer, diabetes, and AIDS combined. We cannot deny that child mental illness is real, it's common and is impacting even those of us in rural

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Nebraska. Close to 38,000 Nebraska children face behavioral health disorders, and 12 percent of Nebraska youth have seriously considered suicide over the last 12 months. Yet less than half of these youth receive treatment, leaving over half of our most vulnerable population without services. For those of us in western Nebraska, higher intensity treatment is just simply not available. The Panhandle Beginnings pilot program was created to be a solution to this problem. Knowing that spending money now on treatment will save later on. In fact, when calculated at the capacity of 30 youth, the cost per day per youth is about \$180. The cost of juvenile detention services is around \$240. Furthermore, providing children a concentrated amount of intense and appropriate treatment will likely alleviate the level of additional support required in later years of this child's life. Again, a cost savings in the long run. However, I want you to think a minute about the true impact of this program because it will reach even further. The classmates of each of these 30 youth that we will serve at capacity will also benefit. From decreased class disruption, increased time spent learning, and increased sense of safety within their classrooms. This is potentially 600 youth per year who will benefit from LB801, not to mention their teachers, families, communities who will all experience benefits from their highest-needs youth having opportunities to heal. While not all of the youth that I have mentioned in these statistics will require this level of intensity of treatment, many of those in the Panhandle will. Panhandle Beginnings will provide the day treatment program which is a strand of really intense therapeutic treatment, a day school for those who need support but don't meet medical criteria for the day treatment, a mobile intensive outpatient program which takes therapeutic services to the youth, and an outreach consultative services which supports the more remote schools who are unable to access day treatment due to distance. Knowing that within behavioral health setting, close to 90 percent of the consumer population has suffered some form of trauma, we've deliberately selected the evidence-based practice of Dr. Bruce Perry's neurosequential model. This practice highlights a developmentally sensitive, neurobiology-informed approach to clinical problem solving. We are hopeful that this approach will allow us to create a more comprehensive treatment plan because a metric will be devised after a really thorough intake of which we can then select evidence-based interventions to create an individualized plan of treatment for these youth. The thing that I like best about Nebraska is that we are known for being kind, caring, and helping others. I feel like LB801 is the epitome of this. Through this plan, we'll not only reach the vulnerable youth of those in the western Panhandle, but with implementation of this program throughout this state we'll be able to better meet all of our vulnerable youths' needs. Thank you for your time, I'll welcome questions. [LB801]

SENATOR GROENE: Any questions? Senator Kolowski. [LB801]

SENATOR KOLOWSKI: Thank you, very much, Mr. Chairman. Doctor, thank you for your presentation and also for coming forward like this. I'm still...the question I have is I'm still trying to mesh the ESU with this new program without having clashes of territoriality or anything else coming to be. There will be those eventually that will...would want to see enough answers to the

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dollar questions that'll go into this. So the bean counters will look at things and want to get stats on where you are and what you're doing. Is there more of an advantage to being connected strongly with ESUs across the state... [LB801]

KATHERINE CARRIZALES: Um-hum. [LB801]

SENATOR KOLOWSKI: ...in your territory, in the Panhandle as you're doing the test of this program rather than being a separate entity? I'm asking you that and asking... [LB801]

KATHERINE CARRIZALES: Sure. [LB801]

SENATOR KOLOWSKI: ...later speakers as they come forward to, maybe, chime in on that as well, please. [LB801]

KATHERINE CARRIZALES: Absolutely. I think there's a definite advantage to this being housed by an ESU. ESUs typically provide the more specialized services so we can create a program and other school districts can utilize it as needed. The benefit of having an educational entity as part of the really intensive therapeutic program is that for any therapeutic programming to be successful it has to be carried out or generalized into not just that treatment, but the school setting and then hopefully the home setting. And so this blending of the therapy and the school will be a head start in doing that. [LB801]

SENATOR KOLOWSKI: Okay. Having acted as a high school principal in one of the largest metro high schools in the state of Nebraska, I'm very familiar with the titles and the names of all the things you're dealing with. I'm trying to...I'm just trying to get a more comfortable feel for where this fits in the entire spectrum of services for students. [LB801]

KATHERINE CARRIZALES: Um-hum. [LB801]

SENATOR KOLOWSKI: If they need it, I hope we can get it to them. That's not a question. But I'm just wondering how you're putting to this together almost as a separate entity, yet you're connecting it with ESUs. Would you elaborate on that, or a feeling on that? [LB801]

KATHERINE CARRIZALES: Well, I think it will be a separate facility. But I think it will be one more program that ESU can offer our area. We have a lot of different programs within the Educational Service Unit that people access and they may be in separate facilities and have a slightly different way of operating. And I think...I feel this would be similar to that. [LB801]

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SENATOR KOLOWSKI: But you're offering these programs now, are you not, in the ESUs?
[LB801]

KATHERINE CARRIZALES: This type of program we are not currently offering, no. This is...
[LB801]

SENATOR KOLOWSKI: Okay. [LB801]

KATHERINE CARRIZALES: ...is it all right if I elaborate a bit more? [LB801]

SENATOR KOLOWSKI: Please. [LB801]

KATHERINE CARRIZALES: This is a much higher level of intensity therapeutic service that we're, at this point, not able to offer in the Panhandle at all. Let alone within our schools.
[LB801]

SENATOR KOLOWSKI: Is it offered in other ESUs that you're not offering? [LB801]

KATHERINE CARRIZALES: I think other ESUs have the behavior...like the day school side of it. To my knowledge, other ESUs have not incorporated the day school and day treatment piece of it. [LB801]

SENATOR KOLOWSKI: Okay, thank you. [LB801]

SENATOR GROENE: Senator Linehan. [LB801]

SENATOR LINEHAN: Thank you, Chairman Groene. Is there...if a child is going to be put in this program, does it require a medical diagnosis? [LB801]

KATHERINE CARRIZALES: The day treatment program will require a medical diagnosis, and that's the program that would have the most intense therapeutic services. Though there is admission criteria that lines up with Medicaid criteria for reimbursement of a day service.
[LB801]

SENATOR LINEHAN: So they would have a psychiatrist say they need these. [LB801]

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KATHERINE CARRIZALES: A psychologist could do that, go through that process as well. [LB801]

SENATOR LINEHAN: Okay, so I get confused. But, psychologists aren't medical doctors...I mean, not as in...like you go to medical school, medical doctors. [LB801]

KATHERINE CARRIZALES: Right. Psychologists can diagnose from the DSM-5, which mental health and behavioral health issues are diagnosed through that. So, the individuals that would be accessing this care can have a medical diagnosis from a psychologist. There will be a psychiatrist that we do consult with when it comes to the medication management portion of it. [LB801]

SENATOR LINEHAN: But there's not a psychiatrist that checks off before we put them in services. [LB801]

KATHERINE CARRIZALES: There is not...that is not a requirement, no. A licensed psychologist...licensed clinical psychologist would be able to. [LB801]

SENATOR LINEHAN: But not a psychiatrist? [LB801]

KATHERINE CARRIZALES: A psychiatrist could as well. [LB801]

SENATOR LINEHAN: Okay, thank you. [LB801]

SENATOR GROENE: Are you in private practice? [LB801]

KATHERINE CARRIZALES: I am part-time in private practice as well. [LB801]

SENATOR GROENE: In eastern...and where else? [LB801]

KATHERINE CARRIZALES: Western Nebraska. [LB801]

SENATOR GROENE: But you also work for the ESU, or? [LB801]

KATHERINE CARRIZALES: I do, yes. [LB801]

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SENATOR GROENE: But you have an office in... [LB801]

KATHERINE CARRIZALES: I work as...I contract with an office there. [LB801]

SENATOR GROENE: I've heard Medicaid twice. [LB801]

KATHERINE CARRIZALES: Um-hum. [LB801]

SENATOR GROENE: Not every child is in a poor family. [LB801]

KATHERINE CARRIZALES: Sure. [LB801]

SENATOR GROENE: So where do they go now? They go to your private practice? [LB801]

KATHERINE CARRIZALES: Currently, the services that we have are outpatient private practice. We do have Panhandle Health Group--which you maybe heard a comment about before--which is one of our larger mental health agencies. The other therapeutic services are mainly through private practice. However, I think it's important to remember that of the youth being served, and not all youth with mental illness are accessing service, but of those that are, nearly 75 percent of them are accessing services through schools. [LB801]

SENATOR GROENE: So do you see this limited to people with Medicaid, or? [LB801]

KATHERINE CARRIZALES: No. That's a really good question though. The day treatment piece will be funded through Medicaid, private insurance, and then individuals who don't have insurance, the Systems of Care (Expansion Planning) Grant will be the payer of last resort for that. So it will be a braiding of funds for the therapeutic piece. [LB801]

SENATOR GROENE: So, if a student now is in poverty or whatever condition that has a problem, a lot of them are tied up through HHS and social services now. So how do...how do those social workers with HHS now get treatment for their client through the HHS services? [LB801]

KATHERINE CARRIZALES: So the day treatment will take referrals from any referral source. So if there's a... [LB801]

SENATOR GROENE: Where are they doing it now in the Panhandle? [LB801]

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KATHERINE CARRIZALES: There are no day treatment services now. They're going to outpatient, traditional outpatient therapy, which is maybe, you know, 50 minutes once, maybe twice, a week. [LB801]

SENATOR GROENE: But that's available... [LB801]

KATHERINE CARRIZALES: And they're doing the best they can... [LB801]

SENATOR GROENE: That's available in Scottsbluff? [LB801]

KATHERINE CARRIZALES: That is available. This higher... [LB801]

SENATOR GROENE: And Medicaid will pay that? [LB801]

KATHERINE CARRIZALES: Medicaid will pay that. [LB801]

SENATOR GROENE: For the private practice in the Panhandle? [LB801]

KATHERINE CARRIZALES: Correct, um-hum. This higher level of service where children are spending their day in the therapeutic setting, that's the piece that I think really sets this program apart. And that's the piece that right now we don't have access to at all in western Nebraska. [LB801]

SENATOR GROENE: In school inclusion, the school district has to supply that service. So apparently the school district is doing it somehow...through special education. [LB801]

KATHERINE CARRIZALES: If a child has a need as determined by the multidisciplinary team, their IEP, that service will be provided at the school, yes. I think there's a higher level of need within the therapeutic strand that we just don't have access to it right now. So it's not provided by anybody. If it is required, there are some very few cases where kids have to... [LB801]

SENATOR GROENE: Can you give me... [LB801]

KATHERINE CARRIZALES: ...move across the state. [LB801]

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SENATOR GROENE: Can you give me an example? Like, I'm assuming Munroe-Meyer is an in-place service. [LB801]

KATHERINE CARRIZALES: Um-hum. [LB801]

SENATOR GROENE: Can you give me an example of a service where you're modeling this after where it has worked well? [LB801]

KATHERINE CARRIZALES: Sure. Well, the day treatment, day school model...I don't know if you're familiar with Mount Saint Vincent in Denver, Colorado. They're using the neurosequential model as well. And they have a day school in which they incorporate this model of therapeutics. [LB801]

SENATOR GROENE: And four to six weeks is what they...is the average what they need to be there before they can put...mainline back into the public school? [LB801]

KATHERINE CARRIZALES: No, I think with regard to the day treatment piece there's a...that's a much more time-limited component. And it will be maybe 30 to 90 days. However, we've built this program so that we have tiers of services. So as that level of intensity becomes inappropriate and they need a slightly lesser level, they can move down this continuum. And that's why we've also incorporated the mobile IOP so that there will be a point where we can provide those services at the school. [LB801]

SENATOR GROENE: Thank you. Any other questions? Next. [LB801]

LAURA BARRETT: Good afternoon, Chairman Groene and members of the Education Committee. For the record, my name is Laura Barrett, L-a-u-r-a B-a-r-r-e-t-t. I am the special services director for Educational Service Unit 13. Educational Service Unit 13 serves the 21 school districts in the Panhandle of Nebraska. And today I am here to testify in support of the Panhandle Beginnings Act. Schools in our area have expressed concern over a growing number of students who are enrolled in their schools and have significant mental health conditions. What makes this most concerning is that it's not a one-time occurrence of very significant behaviors. It is ongoing, persistent, continual occurrence of these behaviors. The students we are discussing today are the students that the traditional supports that school put in place have not been able to be successful with. Each student we are talking about today has a designated team at their school that has met repeatedly to problem solve different ways to provide supports. We have been able to utilize wrap-around services through a professional partners program that we have, we have our schools who are implementing counseling in those schools that have that--we do have a

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limited number of professionals who are available and qualify to provide that service. In special education, we focus on keeping students in the least restrictive environment. Least restrictive environment means that a student with a disability should have the opportunity to be educated with his nondisabled peers to the greatest extent appropriate. In this context, districts have tried. They've tried supporting students in the classroom, they've provided supplementary aids and supports, they have provided support outside of the classroom, and these students are still struggling because we have not addressed the underlying cause in the mental illness. The youth exhibiting this behavior who are in need of therapeutic day or residential treatment services are required to travel across the state or across state lines in order to receive these. The map you have in your packet is compiled based upon agencies in Nebraska that have been approved for providing contracted special education services to students. In yellow, you will see the schools that are run through Educational Service Units. These programs have a strong behavioral component and would be comparable to what a school could create on their own, and many students are successful in this program. However, it does not work for all students. The blue marks on there are programs with traditional therapeutic day services. In the rare case that a child is placed in services or a family chooses to pursue placement, due to the current geographic location of the in-state treatment facilities in Nebraska these youth are placed in facilities far away from their families, making reintegration into their families and home communities extremely difficult. Families are not able to be present for family therapy in person without missing a large amount of time from work, which causes additional barriers and stressors on families. When it comes to reintegrations, our schools are given discharge papers with written recommendations for what to change in their environment. This does not give the local district enough support and training needed to be able to meet the needs of these students. As we built this plan for Panhandle Beginnings, it was evident that there are students in need of supports who would not meet the admissions criteria for day treatment. Some of our schools have more access to opportunities based on their student...their location. Because of this, you heard about the day school model that we have built. Working in an agency the size of Educational Service Unit 13, we understand that not all students can come to our central location to receive services. Gordon, our farthest school away, is nearly two and a half hours away from Scottsbluff, and Chappell is nearly two hours away. We have designed this program to have an outreach specialist that can work with schools in the outer regions in order to support these students. I will be testifying in support of LB998 later today, and I feel these two pieces of legislation work together well for supporting students in all areas of our state, not just in our major population centers. I want to close today by asking you look at our state map. The greatest thing I love about public education is that it serves all students regardless of needs. I'm proud of the effort the staff our schools...sorry, school staff put in place for these students, and the map today you're looking at highlights the disparity of services and most importantly our youth across the state. We need that continuum of mental healthcare available for all of our youth regardless of where they live. I now welcome your questions. [LB801]

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SENATOR GROENE: Senator Kolowski. [LB801]

SENATOR KOLOWSKI: Mr. Chairman, thank you. Ma'am, how many...you said 21 districts in the Panhandle? [LB801]

LAURA BARRETT: Yes. [LB801]

SENATOR KOLOWSKI: How many students, totally, in those 21 districts? [LB801]

LAURA BARRETT: Just shy of 14,000 students. [LB801]

SENATOR KOLOWSKI: Fourteen thousand, okay. Thank you. [LB801]

LAURA BARRETT: Yes. [LB801]

SENATOR GROENE: Any other questions? If you have a student now, where do they go; Holdrege, Munroe-Meyer, where? [LB801]

LAURA BARRETT: So, I think you're probably referencing Axtell...is Mosaic, is down in Axtell. That would be that closest to us if the student is eligible for that...a place could look at placing at currently. We do...they are looking at more in places of we will do the therapy...outpatient therapeutic services that Dr. Carrizales was talking about. We try and piece things together. We have had students who have been placed in different programs throughout the state as far as they've gone to Envisions in Norfolk, they've been placed in Omaha in different programs, those are typically done by Health and Human Services when they have to get systems involved in order to have those placements. [LB801]

SENATOR GROENE: And the school district has to foot the bill? [LB801]

LAURA BARRETT: For the educational component of that, yes. [LB801]

SENATOR GROENE: Thank you. Senator Pansing Brooks. [LB801]

SENATOR PANSING BROOKS: Thank you. Thank you for coming. I was just...I see...is this the map... [LB801]

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LAURA BARRETT: Yes, that's the map. [LB801]

SENATOR PANSING BROOKS: ...this is the map you were referring to. So, can you just tell me...I can't tell which ones are in Lincoln. [LB801]

LAURA BARRETT: I can get that list for you. I can't remember off the top of my head. [LB801]

SENATOR PANSING BROOKS: But you have got a whole list of them, but they don't necessarily say which ones they are... [LB801]

LAURA BARRETT: Yes. [LB801]

SENATOR PANSING BROOKS: And I haven't heard of some of these, and so...is it supposed to be listed on the side here? [LB801]

LAURA BARRETT: So, those are the different places. And so many of them you would be familiar with...you could be familiar with. Is there one specific that you're looking for? [LB801]

SENATOR PANSING BROOKS: I just...I'm interested in what the names of the ones that are in Lincoln. [LB801]

LAURA BARRETT: Yeah, I can get that for you. [LB801]

SENATOR PANSING BROOKS: Okay, thank you. [LB801]

SENATOR GROENE: Senator Kolowski. [LB801]

SENATOR KOLOWSKI: Mr. Chairman, thank you. You mentioned Mosaic, how many openings do they have as far as full capacity versus where they might be, do you know? [LB801]

LAURA BARRETT: I'm not sure on that. [LB801]

SENATOR KOLOWSKI: Oh, okay. [LB801]

LAURA BARRETT: We do not typically place students there. It's not been a placement option, just... [LB801]

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SENATOR KOLOWSKI: Okay. [LB801]

LAURA BARRETT: ...because of location. [LB801]

SENATOR KOLOWSKI: Okay. Got it, thank you. [LB801]

SENATOR GROENE: Any other questions? Thank you. Next proponent. Please move to the front row so we can transition from testifier to testifier... [LB801]

RICHARD MYLES: Good afternoon. I'm going to talk really fast because this was five minutes every time I rehearsed it in my kitchen, so excuse my quick speech. Thanks for the opportunity to provide testimony today. My name is Richard Myles, R-i-c-h-a-r-d M-y-l-e-s. I'm superintendent of Scottsbluff Public Schools. This is my eighth year in the school district. I'm reaching out to all of you on behalf of 21 of my colleagues, all 21 western Nebraska superintendents, alongside dozens of prominent community leaders, including by formal support Scottsbluff City Council and others, including Dale Mahlman, vice president of the Nebraska Medical Association who have all formally declared public support of this initiative and request the state's financial support to get it started. Collectively, we're sounding a desperate alarm and asking that you help us avoid a tragedy that we believe may be inevitable without our quick and strong intervention. If the Legislature will give us a jump start to get this off the ground, we're confident that we can generate the funding necessary to sustain it. Grant dollars, public-private partnerships, interagency alliances, and reasonable school district contributions can combine to provide operating capital to support ongoing operations. Your help will get us necessary resources to get the facility up and going and fine-tune a therapeutic educational pilot program that will service a model for the rest of the state. Out there in rural Nebraska, public schools do not have the alternative support programming that is present in more densely populated eastern Nebraska and larger school districts with the capacity to afford such support services. Consequently, violent kids remain in our classrooms and present a clear and present danger to themselves and others unless we get them what they need. Consequently, our most troubled and troubling kids sit in our schools and exhibit explosive behaviors that are dangerous to themselves and others. A regional day treatment school program would provide a school environment that would include therapeutic supports such as extended individual counseling, medication management, behavior modification, family counseling, drug counseling, and intensive therapy that youth with diagnosed in trauma and instilled pathologies often need and can receive in more populous areas of the state and the nation. But our far-away voice has not been loud enough, so our traumatized kids get suspended, they get expelled, they get disciplined and arrested in order to protect the greater good and they themselves often then become more and more isolated, more angry, more desperate. They obsess, they self-medicate, they brood, and then one day: bang. I don't like to talk about it, but I have been involved first-hand in a number of school shootings in

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my career. My son was among the lucky ones who safely fled Columbine on April 20, 1999. And as a neighboring principal at the time, I was on the scene before the emergency responders even arrived. I saw things I can never forget. I then attended far too many funerals of kids, some from families I knew quite well and lost their lives that day. And I will always feel part of that community that never can or should be the same. Several years later with shootings in Arvada, Colorado, Youth With a Mission, a training center for missionaries, a little over a block from Arvada West High School, one of the schools I supervised as an area superintendent. A few years later in 2010 I was on duty as an area superintendent during the school shootings at Deer Creek Middle School in Littleton where I had been principal for ten years to assist with the emergency response there. I've also become very familiar with those directly involved in the Platte Canyon High School shootings where six female students were taken hostage, many sexually assaulted, and where Emily Keyes was murdered. Some of you may be familiar with I Love U Guys Foundation led by John-Michael Keyes, Emily's father, we've had out to Scottsbluff to introduce the Standard Response Protocol to our area, and then ultimately to the state. SRP, in fact, is now the expectation of every school in Nebraska. And we've learned that western Nebraska can be heard in this area and has been a strong voice in school safety. My only point in sharing these stories is to convey to you that my concerns are grounded in personal experiences that have shown me that school tragedies can occur anywhere and any time and are almost always preventable. When I came to Nebraska, to western rural Nebraska, I was shocked to compare the lack of services for students of needs like these that were not met in this state, both in rural areas and, to tell you the truth, even in urban areas. When things like this occur, nobody is surprised. Everyone starts pointing fingers, and then far too late people respond and finally do what they should have done long ago. Let's not be one of those stories; don't stand by while one of our small towns becomes one of those small towns that has dominated our "newscape" so routinely... [LB801]

SENATOR GROENE: Thank you. [LB801]

RICHARD MYLES: ...that we don't even hardly pay... [LB801]

SENATOR GROENE: Thank you, sir. [LB801]

RICHARD MYLES: ...attention anymore. [LB801]

SENATOR GROENE: Any questions? Of those instances, you mentioned how many of those do you believe would have been caught? I understand that...I lived in Colorado at the time of Columbine. I don't think there was any way anybody would have caught that. That they were acting violently in the classroom prior to that those...the young man or... [LB801]

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RICHARD MYLES: I can spend a long time trying to analyze and dissect that. I can give you an example. The students who perpetrated that tragedy had given signs through the things that they wrote, through projects they had done at school, things that they had said, and counselors had seen them. It was a different time then. Back then we weren't providing the intensified services that we know now would have made a difference. I would hate to sit here and speculate about that particular event, but we have students in our schools who show similar kinds of behaviors and they reach our limit. In our school districts we've invested almost a million dollars in programs for needs of students with severe emotional and behavioral needs at all three levels. We've put them in place and we, in just our school district, probably have a half dozen students who hear voices, who throw chairs and tables, who tell their teacher to "F" off, who do absolutely nothing they're asked to do, quickly become truant, they're then put on homeschool environment; those are the students that we're talking about. How closely that connects to some of the tragedies I've mentioned would be speculative. [LB801]

SENATOR GROENE: Thank you. Any other questions? Senator Linehan. [LB801]

SENATOR LINEHAN: Thank you, Chairman Groene. Thank you for being with us today. Were there things that they did in Colorado after those tragedies, specific things? [LB801]

RICHARD MYLES: Yes; many, many changes were made... [LB801]

SENATOR LINEHAN: Could you get...could you provide for me a list of those changes? [LB801]

RICHARD MYLES: Would you like for me to talk about them now? [LB801]

SENATOR LINEHAN: No, we don't need to talk, but if you could get me a list that would be great. [LB801]

RICHARD MYLES: Sure. [LB801]

SENATOR LINEHAN: Thank you, very much. [LB801]

SENATOR GROENE: Any other questions? Thank you, sir. [LB801]

RICHARD MYLES: Thank you. [LB801]

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SENATOR GROENE: Next proponent. [LB801]

JAY SEARS: (Exhibit 10) Good afternoon, Chairman Groene and members of the Education Committee. I'm Jay Sears, J-a-y S-e-a-r-s, and I'm representing the 28,000 educator members of the Nebraska State Education Association. NSEA is in support of LB801. Our members in the Panhandle appreciate Senator Stinner's introduction of LB801, the Panhandle Beginnings Act. I'm not going to go through the rest of my testimony, it's getting later in the afternoon, but I just wanted to share with you that when we do focus groups with our members all across the state, the number one issue that members bring up is behavioral health and mental health; the issues that children bring to the classroom. I think, looking at LB801 and LB998--companion bill that you have coming up next, our president Jenni Benson will be testifying in support of it--are two ways that we can start to look at how we can provide the supports that schools need to make sure that children learn every day no matter what their situation is. So, with that, I'll complete my testimony. And thank you, very much. [LB801]

SENATOR GROENE: Any questions? Thank you, sir. Next proponent. That will end the proponents testimony. I got a list here of support we received by correspondence: Scottsbluff Public Schools, Nebraska Planning Council on Developmental Disabilities, ESU 13, National Association of Social Workers, David and Lesli Howell of Morrill, Nebraska Medical Association, Nebraska Association of Behavioral Health Organization, Voices for Children, Region 1 Behavioral Health Authority, Mayor Randy Meininger of Scottsbluff, Elizabeth and Thomas Lundgren from Morrill. Opposition? No opposition, we received no correspondence either. Neutral? No correspondence either on neutral. Senator Stinner, you wish to close? [LB801]

SENATOR STINNER: Well, thank you very much for this hearing. I do want to correct the record, I think I said 11 school districts, there's 21. So I'm going to correct myself on that. Really brought this legislation because of conversations that I've had with law enforcement, schools, judges, probation, just about everybody that I talked to about what their issues are, what their challenges are. It's consistent: mental health and behavioral health problems. So it's something that's out there I think it's something that maybe we can get in front of with something like this, this tool. Obviously, with the fiscal note it isn't going anywhere this year. But I encouraged this group to get in front of you to share what their thoughts are, to get your feedback, which I appreciate very much. You know, we'll probably be back next year. But we'll have answers, we'll modify where we need to modify, we'll look for sources of revenue that may mitigate some of these...the fiscal note, which is probably where I'm going to focus mostly. But I appreciate the feedback and thank you, very much. [LB801]

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SENATOR GROENE: Thank you, Senator Stinner. Any questions? That closes the hearing on LB801. We'll go to LB998 by Senator Walz, if she wants to introduce. [LB801]

SENATOR WALZ: (Exhibits 1-4) Good afternoon, Chairman Groene and members of the Education Committee. For the record, my name is Lynne Walz, L-y-n-n-e W-a-l-z, and I represent District 15. Today I'm here to introduce LB998, which would create a Collaborative School Behavioral and Mental Health Program. Before I get into that, I have to thank the individuals that have worked with me on this bill over the past few months. There's too many to begin to name, but many have sent letters or will be testifying today. I am bringing this bill before you today for many reasons. The first is a growing concern of mental and behavioral health of students in classrooms across the state and the nation. You are receiving a handout with the 2017 Nebraska school district mental health survey results. This handout includes 126 responses from superintendents, principals, school counselors, special education coordinators, and many other education professionals, including teachers. This evidence shows how necessary it is to address this issue in our state. I draw your attention to the five areas that are overwhelmingly identified as areas of concern among school districts within the state of Nebraska. These five areas--people to provide services, training, awareness of resources, programming, and family supports--are all areas that a social worker is able to provide through their training. I will go into further detail about social workers and the skills and services they will provide later. The second reason I'm bringing this bill in front of you today is because of my background in education. When I was a teacher, numerous students needed further assistance and services that I could not personally provide. As a teacher, I wanted to do more in the area of prevention. I wanted to be able to spend more time talking with my students about the Internet, social media, bullying, and drug and alcohol abuse, among many, many other issues that kids face today. But I didn't have the training, I didn't have the resources, and I certainly didn't have the time to attend to these students in the full capacity that they needed. As I speak with other educational professionals, mental and behavioral health is an issue that is continually mentioned. The rising number of cases is becoming more prominent. Senator Groene last year had recognized that this is a growing concern and he introduced LB595. While Senator Groene's approach to addressing the issue is not the same as mine, we both understand that this...that there is a solution needed. I want to take a minute to point out an example of how serious this is. Our nation has faced an ever-increasing number of horrific school shootings in recent years. NPR reports that 11 shootings occurred in just the first 23 days of 2018. I'm not bringing this up to talk about gun control. In fact, that's the opposite of what I want to talk about. I want to emphasize the true problem that needs to be addressed: mental and behavioral health. Many of these problems arise during a child's development. If we can prevent, identify, and treat problems at an early age, we will not only see a difference during their childhood but for years to come as they grow into productive adults in our society. We have been fortunate this hasn't been a bigger issue in Nebraska, but we need to look at solving the issue before one of these catastrophes hits home. The Collaborative School Behavioral and Mental Health Program will help us address and

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prevent future problems. The program will provide a social worker to each of the 17 educational service units in the state. A director will oversee each social worker and will be housed in the ESU Coordinating Council. The program will not only provide services but track resources available within the communities across the state. This gives the Legislature further information on what tools are available and where we need to provide additional support in the future. Last year I introduced LB552 that had the same intent as LB998 but ran a Connections program through behavioral health regions instead of ESUs. We realized that the bill, while good intentions, wouldn't have the impact that we desired. There was just too much area to cover in six regions and there would be too much time to travel to be effective. After realizing that, we formed a group and came up with this concept. We came up with the concept to place social workers within the ESUs as opposed to the Department of Health and Human Services because we want this to be about prevention--something that will save the state money in the long run. HHS is already understaffed and faces more potential budget cuts. They also focus primarily on crisis situations and with prevention being the primary goal of this bill, ESUs provide more avenues to allow this to take place. There are 17 ESU districts compared to only six behavioral health regions. Less coverage territory allows for each social worker to be more connected with the school districts in their region. In addition, ESUs already work closely with the local school districts, making it an easy transition to add a social worker. When I was a teacher, I understood the role of the ESU, that the ESU plays in helping schools and providing resources for each school that they cannot do on their own. I feel this is the best plan to get resources to kids and families. I want to thank the ESUs for their cooperation and being a leader on this issue. As I mentioned earlier, social workers contain knowledge and training to address five areas identified by educational professionals. Another handout you have received contains information about various social workers and their qualifications. Social workers can be licensed mental health practitioners but are not required to be one. Because of a shortage in our state, we feared that we wouldn't be able to fill the positions if an LMHP was required in each ESU, especially in rural Nebraska. To give you more perspective, there are approximately 20 times more social workers than LMHPs in Nebraska. Also, just because a child has a behavioral health problem doesn't mean that they have a mental illness that requires therapy. They may be struggling at home or need other assistance in the community. A social worker can connect students and families to community service...services, to an LMHP, or if they have proper qualifications, they can provide these services directly. Another part of the bill I'd like to highlight is funding. The Collaborative School Behavioral and Mental Health Program will form a public-private partnership. Through this partnership, the Collaborative School Behavioral and Mental Health Fund will be created where money can be donated. The first year we would...which we estimate at \$3.6 million, will need to be fully funded before the program can begin. After its first three years, the cost will be split between private donors, the state's General Fund, ESUs, and local school districts. We estimate the program will cost \$1.2 million a year. When you account for 300 (sic--300,000) students in the state, that's about \$4 a person. This bill is low cost and high reward. We have talked to potential donors and there is an interest in funding this program. For

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confidentiality purposes, I have agreed not to disclose those donors at this time. I will say we have talked to many groups and individuals, not just one organization. This was a proposal that I brought to them, not the other way around. I know where we are at with our current budget situation and high property taxes. That's why I am proposing funding the first three years with private donations to keep the cost low for taxpayers while still providing immediate assistance. I have also passed around an amendment that clarifies that one final decision for the hiring of the social worker shall be made by the ESU. This ensures that they can hire the right person for the students that are in their school districts. I am also looking at another potential amendment that would bring private schools to the conversation about this program. Private schools receive services from ESUs currently such as special education. It was my intent to allow and have private schools to be part of this program. I want to thank the Catholic Conference for bringing this to my attention. I plan to work with private and public schools, along with any committee members that are interested, to get the language right over the next few days. In conclusion, I urge you to vote LB998 out of committee to be debated on the floor. This has been an ongoing and increasing problem for many, many years, and it is not going away. This is an answer to get kids, educators, and families the resources and preventive care they need. This is an opportunity to engage families. This is an opportunity to step in and take action to prevent future problems and to address the issues our kids are facing. This is our chance to really help our kids in Nebraska be successful. It is time to ensure that students' mental health issues do not get lost in the shuffle of everyday school life and that they are given resources to succeed in the future. Therefore, this is an important bill for the future of Nebraska. I'm happy to work with you on any concerns you may have. I know there are social workers, ESU professionals, teachers, and more to follow me that may be better suited to answer your questions. I'm happy to answer questions but it might be better to wait until my closing on some of them. Thank you. [LB998]

SENATOR GROENE: Any questions? [LB998]

SENATOR LINEHAN: Thank you, Chairman Groene. Thank you, Senator Walz. You mentioned 300 kids and \$4. I didn't understand what the 300... [LB998]

SENATOR WALZ: Three hundred thousand kids across Nebraska. [LB998]

SENATOR LINEHAN: Oh, 300,000, okay. That makes sense. Okay. Thanks. [LB998]

SENATOR KOLOWSKI: I heard that too. [LB998]

SENATOR WALZ: Did I say "300"? [LB998]

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SENATOR KOLOWSKI: Yes. [LB998]

SENATOR WALZ: I'm sorry, 300,000 kids across Nebraska. [LB998]

SENATOR LINEHAN: That's okay. [LB998]

SENATOR GROENE: Thank you. [LB998]

SENATOR LINEHAN: Thanks. [LB998]

SENATOR GROENE: You told me to wait and ask people behind you, so I will. [LB998]

SENATOR WALZ: Thank you. [LB998]

SENATOR GROENE: Go ahead. [LB998]

JENNI BENSON: (Exhibit 5) All right. Good afternoon, Senator Groene and members of the Education Committee. I am Jenni Benson, J-e-n-n-i B-e-n-s-o-n, and I am here representing the 28,000 members of the NSEA as the president. As a special education teacher for more than 30 years, I know my students with the most difficult behaviors were often dealing with mental health issues or problems outside of school. I was often searching for support from others who could help me find better resources for my students and their families. Additionally, as a daughter, parent, and grandparent, I have spent a great deal of time researching resources for my mother, my daughter, and now my grandchildren. My mother was diagnosed with bipolar disorder when I was a child. My daughter was diagnosed with bipolar disorder when she was 12 years old. Bipolar is related to family history and genetics. Bipolar is not about misbehaving or choice, and medication is not a cure. My 14-year-old twin grandchildren were adopted out of foster care and both struggle with mental health issues that are rooted in the effects of trauma and abuse. I'm an educated professional and I am aware of most available services. However, my family has struggled finding the help that's needed. On top of...the costs and caps for services can extremely limit treatment. And I could tell countless stories of families who are affected in the same way. Behavioral and mental health needs of students are frequently identified in a school setting and can dramatically affect the ability of teachers to teach and the ability of students to learn. Every teacher can share heartbreaking stories of children who are suffering. Teachers play an important role in identifying the early warning signs of emerging mental health issues and linking the students with effective services and supports. Under LB998, the creation of a Collaborative School Behavioral and Mental Health Program, with support in each ESU, would give schools the needed boost in handling the increasing needs of students with behavioral

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health. Studies have found that one in five youth live with a mental health condition but less than half of these individuals receive needed services. Undiagnosed and untreated and/or inadequately treated mental health conditions can affect students' ability to learn, grow, and develop. NSEA supports this effort to provide a commonsense solution to provide much-needed behavioral health resources across the state. I urge your full support of LB998 and send it to the full Legislature for debate and hopefully passage. Thank you. [LB998]

SENATOR GROENE: Questions? Senator Kolowski. [LB998]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. Ms. Benson, thank you for your testimony today. If we were able to enact this, as I think about early childhood education, we have a shortage of teachers in that area, certificated, certified teachers that have credentials and all the rest that might be able to deliver services to early childhood students. Do we have enough educational practitioners to fill the roles of what you're looking at in the entire state? [LB998]

JENNI BENSON: I think if you're looking at social worker piece,... [LB998]

SENATOR KOLOWSKI: Right. [LB998]

JENNI BENSON: ...that's a totally different piece than a teacher certification piece. A social worker would come through that, that field of education. I believe it's also a really tough field. There's not a lot of people going into fields... [LB998]

SENATOR KOLOWSKI: Right. [LB998]

JENNI BENSON: ...where, again, you know, you're really working very hard. But there are people that are going into that field and I think it would be up to us. Just like we recruit teachers, we should be recruiting folks to go into the social worker field as well. [LB998]

SENATOR KOLOWSKI: Outside of our state in other locations if we were to pass this? [LB998]

JENNI BENSON: I would think so. I mean we're looking at that now. I mean we're always looking at getting the most quality folks that we can get across the state, and that's in any kind of field. And for me, you know, mental health services, it's the same thing when you're looking at trying to find services, just private services. Senator Groene mentioned earlier about these aren't just Medicaid kids, and they're not, because we were on private insurance for my daughter and it was very expensive for us to find services for her. [LB998]

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SENATOR KOLOWSKI: Thank you. [LB998]

SENATOR GROENE: Thank you. [LB998]

SENATOR KOLOWSKI: A number of years ago...well, in 1967, when I started teaching, there might have been 12, 15 different locations in Omaha that we could go to for mental health services. Now that's dwindled down to barely a handful, and that's...some of that has shifted to the school districts, but that shows again the wave of what's happened within our society as far as trained professionals to be able to help in this area. [LB998]

JENNI BENSON: I believe that's very true and I think that, you know, we have gone, too, from a very institutionalized service model to more of an inclusionary model which, you know, in special education, in services for people with developmental disabilities or mental health issues, it's much cheaper also to not institutionalize people. However, then it becomes how do you take those services and spread them across where you need them and make sure that everyone is getting the help that they need. [LB998]

SENATOR KOLOWSKI: Thank you. [LB998]

SENATOR GROENE: Any other questions? Thank you. [LB998]

JENNI BENSON: Thank you very much. [LB998]

SENATOR GROENE: Next proponent. [LB998]

DAVID LUDWIG: Thank you, Senator and committee members. Good afternoon. I'm David Ludwig, D-a-v-i-d L-u-d-w-i-g, and I'm the executive director for the ESU Coordinating Council. Prior to that I served at ESU 2 and 23 years prior to that I served as a school administrator as well, so it's in this capacity that I'm here to support LB998. The purpose of ESUs is to listen here and lead when working with districts and also providing leadership and developing statewide plans with the ESU Coordinating Council. And when the ESUCC was first developed and put together, our purpose was to put together state plans that were based upon efficiency, effectiveness, and equity within the state. As a Nebraska educator, it's important for us to understand the landscape when discussing equity and especially within the last hearing as well, discussing equity in terms, and access, in terms of western Nebraska as well. Students within the Omaha metro area, to include ESUs 3 and 19, encompass 42 percent of our student population. When you tie that in with the Lincoln area, with ESU 18, that's 55 percent. And then when you go to a line from ESU 7 in Columbus, east and south, in the southeast corner of the

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state we serve 71 percent of our students. So when we talk about equity and access, this is most important as we discuss the needs of all of our students, 300,000 students, to make sure students in the Panhandle receive the same opportunities as well. As a school administrator and ESU administrator, I see many examples of behavioral health, mental health needs. And then I have been asked several times, why do...why are ESUs and school districts involved in the process of working with students with behavioral/mental health, even though we're not qualified to do so? The answer simply is because there our students, they're enrolled in our school districts, and it's our place to provide some type of forum and support for those students. We do the best we can. Even though a support system is not in place, again, we provide a solution as best as we can to fill that need but then also preserve instructional time for other students within the classroom setting as well. As I said before, ESUCC is in charge of developing statewide plans for efficiency, effectiveness, and equity. Examples of that include our statewide cooperative purchasing program, our student record system for high-needs students, special-needs students, and BlendEd distance education with all...which all are supported by a director to facilitate each project. That same model would be employed to help facilitate the program within LB998 as well. A social worker would be placed within each ESU with a coordinator at the CC level and the coordinator would help facilitate statewide the project and assist in the employment of a social worker within each ESU during initial stages. So this model has been used, it's been proven, and it continues to be a part of our delivery system to best meet the needs of the...our school districts and students that we serve. So when I look at this bill, it's a great example of meeting expressed needs from our districts. We've been hearing about this from our school districts for the past many years and it's a defined example and it's a definite need, so I really applaud Senator Walz's effort and desire in meeting this and pursuing some type of process to begin putting together a program of support. So I'd like to thank you for your time, for listening to me and giving me the opportunity, and thank you. [LB998]

SENATOR GROENE: Senator Linehan. [LB998]

SENATOR LINEHAN: Thank you, Chairman Groene. You said that this program, you have this program in place somewhere, that you do? I think just in your closing there you said this program is proven to work. [LB998]

DAVID LUDWIG: No. I meant the model that we use with other projects statewide... [LB998]

SENATOR LINEHAN: Okay, I'm sorry. [LB998]

DAVID LUDWIG: ...that help facilitate this. [LB998]

SENATOR LINEHAN: Okay, I misunderstood. [LB998]

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DAVID LUDWIG: Sorry about that. [LB998]

SENATOR LINEHAN: No, no, that's fine. Thank you. [LB998]

DAVID LUDWIG: Okay. [LB998]

SENATOR GROENE: Omaha Public Schools hires social workers, so do LP...Lincoln Public Schools. You were the ESU director of Fremont, right? [LB998]

DAVID LUDWIG: Correct, for four years. [LB998]

SENATOR GROENE: Correct me if I'm wrong. I read a story that the ESU there now is looking at a cooperative with their school districts to have a facility where they would do high-end social work, social... [LB998]

DAVID LUDWIG: Yeah, I believe they're looking at something to that approach. We were focusing more on this, so that's where I'd need to follow up. [LB998]

SENATOR GROENE: The ESU already has, the one in my district, already has a mental health specialist. [LB998]

DAVID LUDWIG: Right, and this would be... [LB998]

SENATOR GROENE: I was driving through Senator Ebke's district and picked up a newspaper in one of her towns, small school district, and the front page, they had just hired a doctorate of psychology, the school district did. So what are we gaining here? [LB998]

DAVID LUDWIG: Well, the thing that we're gaining is to help fill in gaps that are there and then help to coordinate statewide efforts to make sure all students in the state have equity and access to those services. [LB998]

SENATOR GROENE: So ESU 16--I keep going back to mine--has the service already. So you want to coordinate between those 16 or 19 districts and, what, share information? [LB998]

DAVID LUDWIG: Share information, share the networks, share whatever services are available. Dr. Schnoes will be providing some testimony on a survey that was put together from our school

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districts, but that helps to identify what gaps and overlaps that we've had in this project as well. [LB998]

SENATOR GROENE: Of the 16 districts in LPS and OPS, how many of them already have a mental health specialist which you could consider as a social? [LB998]

DAVID LUDWIG: Well, I couldn't answer that one. That's information I could get for you though. [LB998]

SENATOR GROENE: Because according to statute you already can do this, you can hire, you can identify the core issue--mental health and social work--and you could, any ESU could define that, the board could, as a necessity and then hire a social worker within... [LB998]

DAVID LUDWIG: That's correct. [LB998]

SENATOR GROENE: ...their budgets now, is that not correct? [LB998]

DAVID LUDWIG: Well, within the budget, that...herein lies the question if we have the funding to help support them. [LB998]

SENATOR GROENE: Well, if this rises to the top as the most need, then something on the bottom, that's how business works. [LB998]

DAVID LUDWIG: Um-hum, right, right. [LB998]

SENATOR GROENE: It can be eliminated or downsized, is that not true? [LB998]

DAVID LUDWIG: Right. That would be true, yeah. [LB998]

SENATOR GROENE: All right. Thank you. Any other questions? Senator Linehan. [LB998]

SENATOR LINEHAN: Thank you, Chairman Groene. So the ESUs, you go to the smaller schools, you do eye tests and hearing tests. Do you still do that or is that something ESUs...I'm wrong? [LB998]

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DAVID LUDWIG: Those are some things that we don't do. I mean there's some hearing tests that are done. For instance, I think...believe out at ESU 10, but... [LB998]

SENATOR LINEHAN: You don't do that anymore. [LB998]

DAVID LUDWIG: No. [LB998]

SENATOR LINEHAN: Okay. Okay. I'm just conflicted with how we think a social worker in an ESU can manage the workload here. If the workload is what we've heard all afternoon, then how does one social worker in 17 ESUs or in each ESU, how much difference would that make? [LB998]

DAVID LUDWIG: I think it's going to be... [LB998]

SENATOR LINEHAN: And I'm not...any difference is probably good, but is it really the right answer? [LB998]

DAVID LUDWIG: Well, I think it's better than what we have now. It would be the start of developing a statewide system of support. When we work through this whole process for that three-year period, we will be able to collect data as far as the impact, the number of students it serves, the gaps or maybe even overlaps in some of the services. To me this is a start to help doing that. Right now we don't have the capacity to do that because we don't have social workers in every...within every issue, so. [LB998]

SENATOR LINEHAN: Then there's another...so Senator Pansing Brooks is probably working in another committee on a bill, but she and I have heard for the last year that we don't like to label kids and that's why nobody uses the term "dyslexia" or any other kind of learning disability. So it's odd here to sit here today then and talk about labeling a child as behavioral health or mental health when we don't like to label kids. So it's kind of like I don't understand. It scares me, frankly, a little bit. [LB998]

DAVID LUDWIG: Right, right. That's a great question as I'm a...my background is special education, so that was something that we always emphasized with parents. We're not going to emphasize on the label on that particular student, we're going to focus on needs, and this is what the entire process would be, the social worker and the school districts and the service provider working and identifying the needs, and we focus on that, not on a label. A label doesn't mean anything. It's the services. [LB998]

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SENATOR LINEHAN: Yeah, but that's what we're calling this program, Behavioral and Mental Health, so... [LB998]

DAVID LUDWIG: Right now we...right, we have to have a... [LB998]

SENATOR LINEHAN: And if the child goes into that, it would seem kind of obviously to label them. [LB998]

DAVID LUDWIG: Right. It would be the same thing as a program for learning disabilities, same thing like that, but again we just keep focusing on student needs and emphasizing that as the path for providing assistance and services for that student. [LB998]

SENATOR LINEHAN: Okay, thank you. [LB998]

DAVID LUDWIG: Yep. [LB998]

SENATOR GROENE: Any other questions? Thank you, sir. [LB998]

DAVID LUDWIG: Thank you. [LB998]

DAN SCHNOES: Good afternoon. My name is Dan Schnoes. I'm the CEO of ESU 3. It's D-a-n S-c-h-n-o-e-s. I'm speaking today in favor of LB998 and I'd like to have a special thank-you to Senator Walz for bringing this forward. Want to add a little bit of historical perspective to this. Over three years ago, the Behavioral Health Education Center of Nebraska, which is commonly referred to as BHECN, asked ESU 3 to join a group to promote a conference about school mental health and topics in the Omaha area. They were hearing from a number of providers and a number of teachers in the area that this is a growing concern and a topic. We helped them provide a conference that first year. Two years ago, they had such a great response from their first conference they decided to do it again and almost doubled in attendance. Also during the same time, we hold about four or five superintendent advisory meetings every year with all the ESU 3 superintendents, and it was at that time that school mental health topics became the number-one concern and continue to this day to be the most talked about topic in the round-table discussions. Last summer, ESU 3, along with the Kim Foundation, helped BHECN host the first School Mental Health Summit held in Nebraska. We invited over 150 stakeholders and had sites in Kearney, Scottsbluff, and ESU 3 in La Vista, and, you know, when you have a lot of those kind of conferences, you're always wondering who is going to show up. We had a 98 percent show rate, meaning that people were really concerned about the issues going around, and it was the same across the state. One of the main things that came up during this conversation was

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developing legislation. They saw the need to have a coordinated effort across the state that we could do something to help these families and kids and help our school districts. Following the summit, I was invited to be part of a committee by Senator Walz, who was in attendance at our summit, to discuss next steps and movement towards the legislation. In some of the packets that were handed out earlier you can see that there was a survey that was sent out to all of our school districts. ESU 3 took the lead on this with the expert help of a number of other staff from the ESUs. We produced the survey. We got it out to our school districts. We brought it back. We put all the information together. And you can see this is directly information from our districts that their biggest need is people to provide services. This legislation, LB998, was developed with the needs of our school districts in mind. ESUs across the state helped develop a number of services. Another important thing to think about is this is not just an ESU 3 area, it's not just a metro area, it's not just a Panhandle issue, it's across the state. I recently had a chance to go visit and attend the National Conference on School Mental Health out in Washington, D.C., last fall. It is a national issue and everybody is dealing with it across the country and nobody is immune. This summer, on June 8, we're bringing our 150 stakeholders back and we're hoping that LB998 is a topic of conversation. We're hoping it gets passed. We're hoping to talk about how we can implement this. And we have a pretty strong team that's ready to go. We need the legs to do it and we would appreciate your support. Currently, so you know, in the ESU 3 districts--we have 18 districts--we serve 82,000 kids. If I added up all the social workers that these districts have combined, it's 19, 19 social workers that they have already hired to work for the 82,000 kids, and you can see that's not enough. Senator Linehan had a great question earlier. What's one more going to do? Well, we'd like to coordinate our state efforts and start bringing and coordinate all our efforts between all of our social workers in all of our own districts. I'd appreciate your support. Thanks. [LB998]

SENATOR GROENE: Any questions? Thank you, sir. Let's...we did it correctly. Let's try to go left, right, left, right, left, right on the testifiers, on the front row. And if you're waiting in the back of the room, you're going to have a long wait if you don't get in the front row. Go ahead any time. [LB998]

ANNE CONSTANTINO: (Exhibits 6 and 7) Chairman Groene and members of the Education Committee, my name is Anne, A-n-n-e, Constantino, C-o-n-s-t-a-n-t-i-n-o, and I'm the president and CEO of CRCC, a nonprofit in Omaha formerly known as Children's Respite Care Center, in Omaha. I'm here today as a board member of the Nebraska Child Health and Education Alliance in support of LB998. Imagine a place where children find joy and families find hope, a place filled with light in an otherwise dark world. That is what CRCC is for children with special needs and their families. We provide care services for children age six weeks to 21 years in the form of nursing, physical, occupational, speech/feeding therapy, and behavioral health therapy. Children receive these services while they are with us during the day so that when their families pick them up, they don't have to spend their evenings going to various medical appointments and

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instead can be together as a family. Every day CRCC addresses the undeniable need in the Omaha community for additional behavioral health support for children and with our staff expertise, including licensed independent mental health practitioners, and leadership that has built a school-based mental health program, we are part of the solution to the child and adolescent mental health crisis in our community. In working towards solving the crisis, CRCC has been part of the Connections program through Project Harmony to provide a licensed independent mental health practitioner in OPS elementary and middle schools, and currently have three CRCC therapists working in the schools. In addition to working with OPS through Connections, we are beginning to work with them in their transitions program and special education needs. Due to our work with older school-age children at CRCC, we recognize the need for behavioral health support does not stop at eighth grade, so we have partnered with Millard Public Schools to integrate a licensed mental health practitioner in each of the high schools in their district. Millard Public Schools understands the importance of student support on educational learning and outcomes and their commitment to the students and families has lined up beautifully with the philosophy and mission of CRCC. With CRCC therapists participating in the Connections program, OPS transition/special education, and our student wellness counselors integrated in the Millard Public Schools high schools, we are increasing access to mental health therapy to roughly 8,000 children and their families. I can show you how this program works with a real story. Christopher is a second grader who attends an OPS elementary school. Our therapist working with Christopher has been able to provide therapeutic intervention and individual therapy at the school. This has eliminated the barrier of his family accessing mental health services by providing therapy during the school day in a safe environment. Children spend much of their time in school and by integrating mental health in the school setting, this reduces stigma and, in this case, it has allowed the classroom and therapist to work collaboratively with a child and his family to implement interventions. What we have done in Omaha should be a goal across the state. We thank Senator Walz for her vision in introducing LB998. You're probably asking how we are funded to provide these services through this new partnership in Millard. The schools provide a physical space in their building for LIMHP to meet with students and their family for the mental health therapy. CRCC pays the salary and benefits of the therapist placed in the school. CRCC then works with the families to establish funding and payment for the direct therapy. For those families that do not have payment options, we work--or insurance--we work with them to find resources that were...would be appropriate. CRCC assumes the indirect costs of the preregistration and billing for services. Increasing access to provide support in the schools does have a financial cost associated for a nonprofit like CRCC and it is essential for the sustainability to partner with the state to help fund the services that are being provided directly to the student and family in the school. Thank you. [LB998]

SENATOR GROENE: Any questions? At the very end there you mentioned state. You receive some state funding? [LB998]

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ANNE CONSTANTINO: So we do have some of our children that receive therapy are on Medicaid, but that is the only funding that we receive that's state funding. [LB998]

SENATOR GROENE: So you do receive payments from the school district with special education funding too? [LB998]

ANNE CONSTANTINO: We do not. So our payment is directly with private insurance or with Medicaid, and then we do have a significant need for philanthropy, and so we do have some private dollars that we raise through philanthropy. [LB998]

SENATOR GROENE: What percentage of your clients have a social worker assigned to them from the HHS? [LB998]

ANNE CONSTANTINO: I don't know the exact percentage. I would say it's a relatively low percentage of our families that have a social worker, although we do have families that are...we do have children that are in the foster system as well. [LB998]

SENATOR GROENE: So HHS isn't referring this child to you. Who is? The parents find out about you? Educators? Who? [LB998]

ANNE CONSTANTINO: So we have...our referral sources are going to be physicians, pediatricians in town. We have folks at the ESUs that will refer to us. We do have some social workers that are part of DHHS that do refer to us as well. Our highest referral source is truly families that have used our services and refer us. With our partnership in the schools, Millard Public Schools is...we have outreach with them to get referrals from teachers and their particular counselors in their schools as well. [LB998]

SENATOR GROENE: Which would first go through the parents. [LB998]

ANNE CONSTANTINO: They would be talking with the parents to see if they would be open to that, but we would do potentially individual therapy with the child and young adolescent or family as well. [LB998]

SENATOR GROENE: Thank you. Any other questions? Thank you for your testimony. [LB998]

ANNE CONSTANTINO: Thank you. [LB998]

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AMANDA DUFFY RANDALL: (Exhibits 8 and 9) Good afternoon. I'm Dr. Amanda Duffy Randall. It's A-m-a-n-d-a D-u-f-f-y R-a-n-d-a-l-l, and I'm the director of the Grace Abbott School of Social Work at UNO. I'm not going to read my testimony. It's brief. My role here today is as an individual not representing the university, and my clarification is as a social work educator and what social work education entails. There are currently six undergraduate programs of social work across the state, three public and three private, and an undergraduate social worker, which is a bachelor of social work degree, is educated in basic family development and systems and referral and advocacy in working with policy, practice, etcetera, and has over 500 hours of supervised practicum experience prior to graduation. They are a certified social worker at the state of Nebraska. They don't require testing for their certification. We are...the Grace Abbott School of Social Work at UNO is the only graduate program currently in the state of Nebraska. We have over 400 students, about 300 in our graduate program and 100 in our undergraduate program, and we graduate approximately 100-125 master's-level social workers per year. After graduation a social worker may do supervised clinical practice for two years and then become a licensed clinical social worker and a licensed mental health provider. Nebraska is the only state that has an omnibus license of mental health over the social work license also. In this bill, we are requesting bachelor's-level social worker. The work force development issues are critical in Nebraska. The six undergraduate programs in social work, almost none of our graduates are unemployed. There is a huge need. There is certainly a need in underserved areas, and the further west we go, the more difficult it is to locate social workers. This bill won't provide all of the necessary resources that families require and that children with behavioral and mental health problems have, but it's a first step in assisting both educators and superintendents and families in those districts and coming through the ESUs we feel is a very strong proposal. So, I will entertain any questions about the educational nature of social work and certainly be available at any time to you. [LB998]

SENATOR GROENE: Thank you. Senator Linehan. [LB998]

SENATOR LINEHAN: Thank you, Chairman Groene. This is your chart, right? [LB998]

AMANDA DUFFY RANDALL: Yes, that's pretty much the information you received before, just my graduate assistant put it in boxes so it's easier to read. [LB998]

SENATOR LINEHAN: Okay, thank you. It's very helpful. What does "appropriate supervision" mean? [LB998]

AMANDA DUFFY RANDALL: Appropriate supervision is they must practice under a licensed clinical social worker. That supervision must be documented. They're in a practicum during their

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educational experience and then postgraduation they must practice under supervision again until full licensure is obtained, and that's through the Board of Behavioral Health. [LB998]

SENATOR LINEHAN: So is a licensed mental health practitioner able to diagnose a mental health problem or behavior? [LB998]

AMANDA DUFFY RANDALL: A licensed independent person is. A licensed clinical social worker may work independently, but they don't treat the six major mental health conditions. [LB998]

SENATOR LINEHAN: So that's where I'm confused as to who decides whether the child needs these services. [LB998]

AMANDA DUFFY RANDALL: It depends on the child. What we're looking at in this bill is utilizing bachelor's-level social workers who would not do diagnosis or mental health treatment. They would do assessment of what the behavioral issue the child or the teacher or the school system is dealing with and then make the appropriate referrals, probably to a licensed clinical social worker or a psychologist or another treatment resource. [LB998]

SENATOR LINEHAN: Okay, so these people are not going to be diagnosing anyone. [LB998]

AMANDA DUFFY RANDALL: No, not at a bachelor's level. They're not capable of that. [LB998]

SENATOR LINEHAN: Okay, thank you very much. [LB998]

SENATOR GROENE: And they won't be treating, either, correct? [LB998]

AMANDA DUFFY RANDALL: Not at a bachelor's level, although they can do certainly groups, children experience grief, divorce, mental illness in families, etcetera. And again, behavioral problems are not always mental health problems and don't require medical or psychological intervention and sometimes behavioral problems are pretty common. [LB998]

SENATOR GROENE: But isn't the idea that most people have of a social worker, they facilitate, they help parents teach their kids to eat three meals a day, get them to the doctor's appointment, check on the kids, make sure they're going to school, especially in the HHS system, I believe. They're not out there treating anybody... [LB998]

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AMANDA DUFFY RANDALL: Not at a bachelor's level. [LB998]

SENATOR GROENE: ...or diagnosing anybody. Most of them, they're facilitators, aren't they? [LB998]

AMANDA DUFFY RANDALL: They do advocacy, referral, right, assessment, and then referral into appropriate mental health services. [LB998]

SENATOR GROENE: Thank you. Any other questions? Thank you. [LB998]

JOHN SPATZ: (Exhibit 10) Good afternoon, Senator Groene and members of the committee. My name is John Spatz, J-o-h-n S-p-a-t-z, here for the Nebraska Association of School Boards, and I'll be brief. In the fall of 2016, we went around the state at our regional meetings and talked to our school board members about property taxes and school funding and how do we address these issues, and the top two issues that came back to us pretty consistently statewide were whole child concepts--physical, mental, behavioral health of kids--and teen and youth job opportunities. What's before you today is we went back out in the fall of 2017 and polled school board members, elected officials, and ESU members from around the state at our different regional meetings. What are the barriers to addressing physical, behavioral, and mental health needs in your district, part of the question, and another question was, do you have anything that addresses this in your strategic plan? So before you are from the regional meetings that we had this year, from the nine regional meetings, some of the responses from elected officials across the state, and I think if you look through this it's going to be very consistent to what you've heard from the previous bill, LB801, and this one. There's a large demand out there and that's something we're recognizing more and more. And we appreciate Senator Walz's introduction of this bill to help collaborate and bring groups together to begin getting in front of this the best that we can. So we support this bill and we appreciate your time. [LB998]

SENATOR KOLOWSKI: John, on the overall picture of the health of families in our state as a whole, we have the largest number I believe out of 50 states of dual working parents. [LB998]

JOHN SPATZ: Yep, yep. [LB998]

SENATOR KOLOWSKI: And when you look at that within the time frame of... [LB998]

JOHN SPATZ: Yep. [LB998]

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SENATOR KOLOWSKI: ...family on a daily basis, that certainly is a difficult thing for many of them to handle when some people are working two or three jobs. [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: And where do the kids go, what do they do, how are they covered and fed and taken care of for the rest of the day, that's a lot of pressure. [LB998]

JOHN SPATZ: It's a lot of pressure. [LB998]

SENATOR KOLOWSKI: It's a pressure cooker in lots of ways. I think we need to recognize that and that's why the world is so different today than it was... [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: ...50 years ago, 25 years ago, 30 years ago, whatever, and that seems to...looking at some of your comments on your sheet,... [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: ...that seems to be coming through... [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: ...in every other line or so about how families are being pressured... [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: ...and the difficulty with that. [LB998]

JOHN SPATZ: Yes, well, I can speak as a parent of three young kids and two working parents. [LB998]

SENATOR KOLOWSKI: Yes. [LB998]

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JOHN SPATZ: It's challenging, and the challenges today are getting worse. And I look...I think of myself compared to my folks. I'm not as resilient, I don't think, as my folks. I don't think they're as resilient as their folks, and that's something that we've got to get ahead of as...culturally, and there's not a magic bullet or a magic wand out there that's going to do that, so we've got to figure out ways to work together to address that. Thank you. [LB998]

SENATOR KOLOWSKI: Which brings in the possibility of more family-oriented... [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: ...discussions and services that would be provided... [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: ...not just for a certain child with a difficulty they might have. Sometimes those come out of the family dynamics. [LB998]

JOHN SPATZ: Parental engagement is huge and honestly that's a struggle in every...whether we're talking about early childhood, after-school programs, job opportunities, special ed, you name it. The ability to engage the parents is a critical factor in all of these areas and I know we're working very hard right now of building capacity to address parental engagement in all of these areas. [LB998]

SENATOR KOLOWSKI: Thank you. Other questions for Mr. Spatz? Yes, please. [LB998]

SENATOR LINEHAN: Thank you, Vice Chairman Kolowski. Thank you for being here. I'm looking through your...it...and this is...it says the stigma...I'm just glancing through this quick, but the top needs are the stigma and lack of training and not knowing...I'm just glancing at this. Do you think that we...there's enough being done to train staff, teachers, other resource staff, to be able to recognize this and know what they're dealing with? [LB998]

JOHN SPATZ: Well, you know, that's a good question. I thought this was pretty fascinating reading through all of this and I'd like to work with some others to maybe look at more scientific analysis of if there's something consistent from place to place, from region to region in the state of Nebraska, but the problem is growing and changing and honestly ten years ago behavioral health was an issue. But I think, boy, in the last ten years this issue has continued to grow and grow and grow. And as a society, as technology changes, as it expands, how are we, from a cultural perspective, from education, from law to policy, how are we keeping up with this

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changing world that's changing faster and faster than it ever has? These are challenging times, so we've got to empower schools the best we can to address this however we can. [LB998]

SENATOR LINEHAN: But do you think...I think maybe I didn't say the question clearly... [LB998]

JOHN SPATZ: Okay. [LB998]

SENATOR LINEHAN: ...stumbling around. Is there training? In service training, the ESUs, are they doing training now with teachers and resource teachers and principals on identifying or any strategies to deal with behavioral health? I was at a deal in York on, whatever, a day, a Monday, holiday, Martin Luther King Day, I believe it was, and they had several break-out groups on trying...controlling the classroom and dealing with trauma. Do we need to do more of that? [LB998]

JOHN SPATZ: Well, I think we probably do and it's not just an issue for the schools. One of the things that's really fascinated me recently, five years ago I didn't know what an ACE score was, and an ACE score is adverse childhood experiences, and the impacts of trauma to infants and newborns on the brain, the development of the brain. And every indicator, every measure gets worse the more ACEs a child has. So that's something I'm contemplating. When a kid comes to preschool or kindergarten with multiple ACEs, there's a physical, mental effect, and how are we recognizing that, how are we treating that, how are we supporting those kids are going to be very challenging issues for schools, for communities, for ESUs, for all of us. And it's not just a K-12 issue. This is more of a cultural issue. [LB998]

SENATOR LINEHAN: Okay, thank you. [LB998]

JOHN SPATZ: Yep. [LB998]

SENATOR KOLOWSKI: Other questions, Senators? Seeing none, thank you very much. [LB998]

JOHN SPATZ: Thank you for your time today. I appreciate it. [LB998]

SENATOR KOLOWSKI: Afternoon. [LB998]

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DEBRA ANDERSON PAPPAS: (Exhibit 11) Good afternoon. This chair feels really low (laugh). Good afternoon, members of the Education Committee. My name is Dr. Debra Anderson Pappas, D-e-b-r-a A-n-d-e-r-s-o-n P-a-p-p-a-s. I'm the senior director of early intervention and training at Project Harmony, a child advocacy center in Omaha, and I'm here today representing Connections, which you've heard referred to already. It's one of the prototypes for LB998 to provide for a Collaborative School Behavioral and Mental Health Program, and I appear before you today in support of that bill. You've also heard mentioned ACES just recently, so let me talk a little bit about that. It's estimated that every year over 60 percent of all children suffer a traumatic experience. Whether it's abuse or neglect, living in an environment of domestic violence, a natural disaster such as tornadoes or car accidents, only 20 percent of our kids receive mental health services. The Adverse Childhood Experiences Study that we refer to as ACES has demonstrated that children exposed to interpersonal violence or household dysfunction, which includes a parent suffering from mental illness, substance abuse, incarceration, suffered devastating consequences, both short term and over a lifetime. Exposure to violence and trauma affects how children feel, how they act, how they grow and develop, and ultimately how they learn, which is why we are involved with schools. Dr. Nadine Burke-Harris' research shows that among children who have suffered four or more ACEs, more than half will have learning and behavioral problems. In Nebraska, among children diagnosed--and this is diagnosed, because many are not--among those that are diagnosed with a mental health disorder, the most common, in order, in our state are: ADHD; anxiety; conduct disorder; and depression. And in Douglas County, where I'm focused, 21 percent of high school students were involved in physical fights last year, 23 percent reported being bullied, and over 5 percent carried a weapon on school property. Connections is a voluntary program. A parent needs to consent to our services before we can get involved. Connections also works with children who are not involved in the child welfare or juvenile justice system, so that means they would not be involved with the Department of Health and Human Services or in probation. We were founded on the idea that when mental health problems are identified early in a child's life, we can prevent a wide range of more serious problems from developing later in life. Since we opened in January of 2015, we have taught 3,000 educators--that's how many we've reached--in teaching about trauma and resiliency. We've also taught children and parents and others about the devastating impacts of adverse childhood experiences. We've increased mental health service capacity to over 3,000 children and their families who otherwise would not have received it, and we've improved the quality and quantity of evidence-based training for over 400 mental health providers in the Omaha area but also across the state because they travel to Omaha for the training. We work closely with four school districts in the Omaha metropolitan area and we know firsthand how vital it is for schools to have access to mental health services for their students. I get contacted weekly by other school districts asking how they can get Connections in their community. This bill would help to make that happen. We really have learned that, to be successful, we have to work with three groups, first, children and families, obviously. We use evidence-based tools to screen a child's symptoms. We work with the family to identify barriers to therapy such as

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transportation or high deductibles, and then we match the child with a licensed mental health provider in the community who can address their needs. The second group we work with are schools. All of our schools recognize behavioral health problems affect academic performance but they really struggled with knowing where to refer kids, who would be the best provider, and so on. So we help schools integrate mental health service delivery into their infrastructure, and through our collaboration we've learned which models work best in schools and which don't. We also have learned what resources are available and what need to be developed, so it's that gap piece that we talked about. And third group, we work with our community mental health providers. We recruit experienced and licensed mental health practitioners that Dr. Randall was referring to. We know how to identify those who have interest and skill in working with students and then we provide them with the evidence-based training they need in order to work with kids. So in conclusion--I know that you have heard a lot already--I urge you to support LB998 as this bill would put school social workers in each ESU to do what we do, which is to help families access mental health services to help schools know how to address behavioral health needs and to help identify and train mental health professionals who can best serve them. Thank you for this opportunity to provide testimony and I will try to answer any questions. I did want to mention that I've heard you talk a lot about finances. If you're interested in what we're doing, 58 percent of our kids receive Medicaid; 25 percent are...have private insurance; and then the rest were able to find funding to cover for them. So 83 percent of our kids are getting some form of insurance. The other thing I think is important for you to know is that if we look at all of the schools we work with--and this is Millard, Bellevue, Omaha Public Schools, and Papillion--we see about a 5 percent penetration rate, so if you have a school of about 500 kids you can expect about 25 of those kids to need mental health services in a school year's time. [LB998]

SENATOR KOLOWSKI: Thank you, Doctor. Questions, Senators? Yes, Senator, please. [LB998]

SENATOR LINEHAN: Thank you. Thank you for being here. Have you seen...how long have you been doing this, three years? [LB998]

DEBRA ANDERSON PAPPAS: Three years. [LB998]

SENATOR LINEHAN: So you've been in these schools for three years? [LB998]

DEBRA ANDERSON PAPPAS: Three years, yeah. [LB998]

SENATOR LINEHAN: So have they seen a drop in outbursts in the schools? [LB998]

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DEBRA ANDERSON PAPPAS: That's a great question. We are in the middle of doing an evaluation to look at outcomes. The things that we're trying to look for is, are we preventing child welfare involvement, are we preventing juvenile justice involvement, and are we seeing an improvement in academics. We don't yet have that data. What I can tell you is when we look at symptoms over time, that is improving; particularly in the areas of depression, anxiety, and suicide ideation, we're seeing significant improvement according to our...the tools that we're using. [LB998]

SENATOR LINEHAN: And then I've been meaning to ask this all afternoon. How are your services integrated with your regions, the... [LB998]

DEBRA ANDERSON PAPPAS: With the behavioral health regions? Our services are separate. We are fully privately funded so our...we...if a family is eligible for region services, they would get those before they would come to us. [LB998]

SENATOR LINEHAN: But you talk to each other, hopefully. [LB998]

DEBRA ANDERSON PAPPAS: We talk to each other. [LB998]

SENATOR LINEHAN: But in some kind of systematic way? [LB998]

DEBRA ANDERSON PAPPAS: Yes, we do. [LB998]

SENATOR LINEHAN: Okay, so how does that work? [LB998]

DEBRA ANDERSON PAPPAS: We're also involved in the whole system of care effort that the regions are, you know, championing, so we're a part of that effort as well. [LB998]

SENATOR LINEHAN: Okay, so you have regular meetings and... [LB998]

DEBRA ANDERSON PAPPAS: Yes. [LB998]

SENATOR LINEHAN: Okay, thank you very much. [LB998]

SENATOR KOLOWSKI: How long has Project Harmony been in existence, please? [LB998]

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DEBRA ANDERSON PAPPAS: About 21 years,... [LB998]

SENATOR KOLOWSKI: Thank you. It's a little footnote. [LB998]

DEBRA ANDERSON PAPPAS: ...this program only 3 but the agency 21. [LB998]

SENATOR KOLOWSKI: Yes. Any other questions, Senators? Thank you very much. [LB998]

DEBRA ANDERSON PAPPAS: All right. Thank you. [LB998]

SENATOR KOLOWSKI: Let's...someone from this side, please. Yes, sir. Good afternoon.
[LB998]

T. MICHAEL WILLIAMS: Good afternoon. I am Pastor T. Michael Williams, T. M-i-c-h-a-e-l W-i-l-l-i-a-m-s, pastor of Risen Son Baptist Church and community liaison for the Baptist Pastors and Ministers Conference of Omaha. The BPMC is comprised of more than 30 congregational leaders in Omaha and east Omaha. And during my service on the OPS accountability committee, near the end of the 2012-2013 school year, an OPS administrator told me that principals of the district had been surveyed as to the ten greatest challenges they saw facing the district and first on the list was behavioral and mental health and the concern has only grown and increased since then. Due to the nature of our changing society and things you all have been hearing, again, all afternoon, principals and staffs in schools all across our state are increasingly having to struggle to educate students who, through no fault of their own, are at a disadvantage due to the impact of various traumatic experiences and other issues. Of great concern is the fact that behavioral health needs of these students not only impede their opportunity to learn, but their behaviors can adversely impact learning opportunities for every child in the classroom, ongoing disruptions and outbursts and so forth. As a volunteer in the elementary school level for the last 12 years, I've witnessed these kinds of outbursts and disruptions with my own eyes. Time is wasted. Children are distracted. Teachers are overly and unnecessarily stressed. And my understanding is that contract negotiations between the districts and teachers and administrators have begun to include these issues. And I think it's important, as has been said once already, to repeat that children are not misbehaving, these children. They simply need help and I just want to encourage you, please, do not deny them the help they so seriously need. Our society needs them to get this help and I think this bill is a small but important step in providing children with behavioral health and mental health challenges the help they need. So I, therefore, urge that you vote this out of committee and vote for its passage, so thank you. [LB998]

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SENATOR KOLOWSKI: Thank you, Pastor. Questions, please, Senators? Thank you, sir.
[LB998]

T. MICHAEL WILLIAMS: Thank you. [LB998]

SENATOR KOLOWSKI: Good afternoon. [LB998]

MARY BAHNEY: (Exhibits 12 and 13) Good afternoon. My name is Mary Bahney, and that's M-a-r-y B-a-h-n-e-y, and I'm here today to testify in support of LB998 on behalf of the School Social Work Association of Nebraska that we fondly call SSWAN. I'm a retired school social worker and I serve as the cochair of SSWAN's legislative committee. SSWAN is a statewide organization made up of professional social workers who are employed by Nebraska's school districts. SSWAN's members come from 13 school districts across the state, from Omaha to Cozad. There are...these 13 districts include 9 out of the top 10 largest school districts based on enrollment. There are several, maybe three or four, other school districts that employ school social workers but for some reason or another are not currently part of our association. School social workers are employees of the school districts and are often the link between home, school, and community. School social workers possess the specific expertise needed to work with the school-age children and their families. Some of our members have held their positions for over 20 years. Each school district has designed a job description for their school social work staff to meet the needs of that district, and just a few of the responsibilities might be related to school attendance, the student's behavior and mental health, as we've been discussing, abuse and neglect issues, teen pregnancy, suicide intervention, assisting families with basic needs, those students in the juvenile justice and child welfare systems, and students experiencing substance abuse, teen health...health issues, and students who qualify for special education services under IDEA. Always, the goal of the school social worker is to ensure that the student is attending school, ready, and available to learn. LB998 would be a step forward in providing some of these services to the other over 200 school districts in the state that do not employ school social workers. Many of these school districts do not employ school social workers because they're not large enough, they have budgetary concerns, or the district is unaware of the services that a school social worker could provide, yet the students and their families in these districts are not immune from the many challenging issues that families and states (sic--students) in today's world face. A school social worker based at each ESU would be just the beginning of the provision of services, especially in the area of resources and referrals for many school districts. Often once school districts understand the services that a school social worker can provide, there is a desire to increase the school social work staff. Most of our members are master's-level social workers--MSWs--who could be licensed mental health practitioners in Nebraska. We would, as SSWAN members, encourage, if an ESU could employ a master's-level person and that person is available, we would really encourage that. We know of the work force issues across the state. Often school social work positions are initially funded using grants or specialized funding, as in

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this case. The members of SSWAN thank Senator Walz very much for this bill and we think that in the long run it would be a great thing for Nebraska to help Nebraska's children live and learn. And I want to add one more thing to Senator Linehan's issue about workload. Yes, that is going to be a tremendous workload. My career started as a school social worker. I really was hired to do something else, but I started working with the elementary schools and one elementary principal told another elementary principal and another elementary principal told another elementary principal, so when I left--ten years ago--I was the only school social worker for 24 elementary schools. Now they have 25. But when I left, I think they hired three people to replace me. That's not about me. That was about what I showed those schools that an elementary-level school social worker could do. And now each one of the districts in Millard, where I was employed, each one of the schools in Millard has a specific school social worker, not just assigned to that school--they may have three or four elementary--but they weren't juggling 24 elementary schools like I was, and I just wanted to get that. So the idea is if we can help, maybe then this project can grow, but you've got to begin someplace. [LB998]

SENATOR KOLOWSKI: Thank you. Any questions, Senators? Yes, sir, please, Senator Erdman. [LB998]

MARY BAHNEY: Yes. [LB998]

SENATOR ERDMAN: Thank you, Senator Kolowski. Thank you for coming. I listened to your testimony. You talked about 13 districts across the state from Omaha to Cozad. Do you know how much of the state is west of Cozad? [LB998]

MARY BAHNEY: I know, and that's why I like that other bill and I wrote that other letter. [LB998]

SENATOR ERDMAN: How much is west of Cozad? [LB998]

MARY BAHNEY: A third? [LB998]

SENATOR ERDMAN: One half. [LB998]

MARY BAHNEY: One half, okay. [LB998]

SENATOR ERDMAN: Cozad is right in the middle, so... [LB998]

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MARY BAHNEY: Okay, but that's as far as our school social workers go. [LB998]

SENATOR ERDMAN: ...I'm sure that Mr. West would appreciate the fact that we're still on the map, even though we're 400 miles away. [LB998]

MARY BAHNEY: Okay. We've heard there's some out there. I'm just speaking about our association. [LB998]

SENATOR ERDMAN: Okay. [LB998]

MARY BAHNEY: Okay, okay. [LB998]

SENATOR ERDMAN: Don't forget us. [LB998]

MARY BAHNEY: No, no. I lived in Grand Island for six years. [LB998]

SENATOR ERDMAN: Okay. [LB998]

MARY BAHNEY: I know there's life beyond Lincoln. Anything else? Thank you. [LB998]

SENATOR KOLOWSKI: Cartographers are working on that. (Laughter) Thank you, Mary, appreciate it. [LB998]

MARY BAHNEY: Okay, thank you. [LB998]

SENATOR KOLOWSKI: Good to see you. [LB998]

MARY BAHNEY: Thank you for listening. And I did have a letter from NASW also. [LB998]

SENATOR KOLOWSKI: Thank you. Good afternoon. [LB998]

JULIA HEBENSTREIT: (Exhibit 14) Good afternoon. Thank you, Vice Chairman Kolowski and the rest of the Education Committee. For the record, my name is Julia Hebenstreit, J-u-l-i-a H-e-b-e-n-s-t-r-e-i-t. I serve as the executive director of the Kim Foundation in Omaha, though we have programming throughout the state of Nebraska, even west of Cozad, and our mission is to serve as a supportive resource and compassionate voice for lives touched by mental illness and

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suicide and I am here today in support of LB998 which strongly aligns with our mission. In my time at the foundation, I have experienced dozens, if not hundreds, of phone calls from individuals, families, and school staff from a number of Nebraska communities expressing their frustration with the inability of securing mental health services for youth they care about. The reasons vary, but oftentimes it comes down to them simply not knowing where to turn. Because of these phone calls and our belief in early intervention and prevention, the foundation has taken a keen interest in school mental health. I've served on the Nebraska School Mental Health Conference steering committee since its inception and we have funded several school-based programs...school-based clinics and programming for the last four years. Because of this work, I've had firsthand experience at witnessing the growing need for more mental healthcare readily available to youth and their families in the environment they attend daily, are comfortable in, and trust to do what is best for their students. I know that other solutions have been introduced in the past, but this is a solid, innovative approach to serving schools in the area they acknowledge is the most significant issue they face: an extreme lack of resources in mental and behavioral health. I was skeptical of LB552 that was introduced last session simply because of the fiscal note that was attached to it. But with careful consideration and steadfast commitment to the youth of our state, Senator Walz brought everyone back together to come up with a solution that would meet the needs of Nebraskans, bring legitimate funding sources to the table, and not detrimentally impact the already limited behavioral health work force in our state. This bill meets the continued frustration we hear from families: I don't know where to get my child help. By placing a social worker in each ESU, someone is there who knows the community, likely knows the families, and knows the resources that will best match that student's need. In placing a social worker in each ESU, the geographical area that they have to serve is less severe than if the person employed by the behavioral health regions, and the area they need to be familiar with is likely one they already live in. By placing a social worker in the ESU, they have knowledge of the district and the trust of the school districts they serve, as well as the families attending those districts. I am also the current president of the Nebraska Association of Behavioral Health Organizations, otherwise known as NABHO, and one of our continued efforts is around the issue of behavioral health work force shortage in our state. Much discussion was had around the level of licensure this individual needs to maintain; and knowing the shortage of master-level social workers in our state and the aging population of licensed mental health practitioners, this is one concern I voiced in planning meetings around this bill. I'm grateful that Senator Walz listened and others were able to determine that an individual with a bachelor's level in social work would be sufficient and successful in serving in this capacity. They aren't required to provide services, simply serve as a conduit to connect the families and students in need to the available and necessary resources. This is another reason we at the Kim Foundation can fully support this bill. Throughout recent times, we've learned it's difficult to place dollars in the area of prevention because we too often need to place dollars in the areas that are on fire right now. However, private donors and community members have shown they understand the importance of investing dollars in prevention to help more people and save resources down the road. They have agreed to

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do their part and it is our hope that we as a state can move to embrace the importance of prevention and fully understand that not only the positive fiscal impact it can have down the road but also the significant positive impact it can have on the lives of Nebraskans. For far too long and far too often, we've heard about horrific tragedies and examples of when prevention and intervention with mental and behavioral health services didn't occur to help our most vulnerable population: our youth. It's easy to brush this off because we've been fortunate thus far in Nebraska to have limited direct impact from these tragedies. However, too often we as a society are reactive to problems such as these and this is our opportunity as a state to be proactive, utilize an innovative approach to meet the needs of Nebraska's youth, and better serve those who need it most. I thank you for your attention to this significant issue and urge you to vote in favor of LB998 to help move our state forward in a direction that will benefit our schools, our youth, and the families in each of your districts. [LB998]

SENATOR KOLOWSKI: Julia, thank you very much. Questions, Senators? Seeing none, thank you. [LB998]

JULIA HEBENSTREIT: All right. Thanks. [LB998]

SENATOR KOLOWSKI: Sir. Afternoon. [LB998]

MIKE WATERS: (Exhibit 15) Good afternoon. Good afternoon, committee. My name is Mike Waters, M-i-k-e W-a-t-e-r-s. I am the superintendent at Crete Public Schools and I'm here on behalf of STANCE, which represents 19 different school districts, in support of LB998. You've heard a lot of testimony today in support of this bill and STANCE as a group is certainly in support of this bill also. I think that potentially there are a few school districts in STANCE that bring a unique view of this in that Norris, Crete, and Wilber-Clatonia have gone together in a cooperative agreement to hire a school psychiatrist to help us with the high needs of mental health supports for students, mainly focused on the youngest of our students. That means that we have a person that works with us a day and a half to two days per week. In visiting with our...with this person, it is a cooperative agreement that's pulled through the ESU 6 and working together we just...there's such a need that it's actually above and beyond what one person can handle, even within our three school districts. In that, that group of STANCE has had this conversation before about the growing need of mental health supports for students, where do we go, and how do we do it. I believe that the three school districts of Norris, Crete, and Wilber-Clatonia, along with other school districts in STANCE, that we have shown at least a possibility of a way forward to do this. Again, thank you very much for having this hearing and we stand in support of this LB998 as a group, STANCE. [LB998]

SENATOR KOLOWSKI: Thank you, Mr. Waters. Questions, please, Mister... [LB998]

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SENATOR ERDMAN: Thank you, Senator Kolowski. So I wanted to be clear about it. You're...have three districts that hired one person? [LB998]

MIKE WATERS: Yes. [LB998]

SENATOR ERDMAN: Does that person rotate from each school? [LB998]

MIKE WATERS: Yes. [LB998]

SENATOR ERDMAN: So on a weekly basis or how does that work? [LB998]

MIKE WATERS: Yeah, we receive the person one and a half to two days per week each week, and then they would go to Wilber-Clatonia and then to Norris to fulfill their schedule. [LB998]

SENATOR ERDMAN: So then those children that are receiving services at your school would be once every three weeks? [LB998]

MIKE WATERS: Approximately. [LB998]

SENATOR ERDMAN: Okay. Is that sufficient? [LB998]

MIKE WATERS: I would like to have more. [LB998]

SENATOR ERDMAN: Okay. [LB998]

MIKE WATERS: I need more. The students need more. [LB998]

SENATOR ERDMAN: How many students do you have involved in that? [LB998]

MIKE WATERS: Nineteen currently and there are several--10 or 12 or more--that are on a waiting list to be evaluated. [LB998]

SENATOR ERDMAN: So 19 is just in your school district? [LB998]

MIKE WATERS: Correct. [LB998]

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SENATOR ERDMAN: And the other districts have similar? [LB998]

MIKE WATERS: I would guess so. I would guess certainly that Norris would have those approximate numbers; Wilber-Clatonia might be a little bit smaller. But generally, yes, those would be the numbers. [LB998]

SENATOR ERDMAN: Thank you. [LB998]

SENATOR KOLOWSKI: Sir, did you say once every three weeks they have contact or they have a day and a half every week? [LB998]

MIKE WATERS: A day and a half every week they have. Now can they meet all 19 kids during that time? [LB998]

SENATOR KOLOWSKI: No, I understand. [LB998]

MIKE WATERS: No, probably not. It probably comes back to meeting the individual students, probably does come back to every three weeks if you work the math out on that. [LB998]

SENATOR KOLOWSKI: Sure. [LB998]

MIKE WATERS: Yeah, yeah. [LB998]

SENATOR KOLOWSKI: Thank you. [LB998]

SENATOR ERDMAN: Thank you. [LB998]

MIKE WATERS: Hopefully, I answered that correctly on both sides of the fence. [LB998]

SENATOR ERDMAN: I understand. [LB998]

MIKE WATERS: Yes. [LB998]

SENATOR GROENE: Do these students also have a para assigned to them or are they just, I mean, in the classroom with all the other students? [LB998]

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MIKE WATERS: Many times they'll have additional supports as a para or something because the needs are great enough that it's very difficult for the teacher to handle. [LB998]

SENATOR GROENE: So your social worker or psychologist can instruct the para how to handle it. [LB998]

MIKE WATERS: Right, right. [LB998]

SENATOR GROENE: Professional doesn't have to be there every minute, five days a week. [LB998]

MIKE WATERS: Correct. For us, that is correct. And part of that also comes back to the training part of it to help us out with some of the training that we need for our paras to have continuation of services when that person is not available, when the expert is not available for us. [LB998]

SENATOR GROENE: And the expert coaches them and gives them direction? [LB998]

MIKE WATERS: Yes. [LB998]

SENATOR GROENE: So... [LB998]

MIKE WATERS: Yes. [LB998]

SENATOR GROENE: Thank you. [LB998]

SENATOR KOLOWSKI: Okay. Thank you. [LB998]

MIKE WATERS: Thank you very much, Committee. [LB998]

DANIEL BOMBECK: (Exhibit 16) Good afternoon. My name is Daniel Bombeck, D-a-n-i-e-l B-o-m-b-e-c-k. Currently I'm the director of student services at Educational Service Unit 2. Previously I've worked as a special education coordinator and as a speech-language pathologist. It is from these experiences I'm going to provide my support for LB998. For the past 15 years I've worked with students in various settings from home-based to preschools to elementary schools, high schools, transition programs, alternative high schools, and level 3 programs where we provide services, more intense services for students with behavior disorders. The piece that I've seen in each of these settings is that I've seen teachers connecting with students, teaching

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students, helping students become members of society. And the other thing that I've seen in each one of these settings is teachers struggling to reach those students with mental health disorders. They just aren't equipped with the tools or the supports necessary in the education system to provide them with those pieces. Currently I'm the director of student services at ESU 2. We serve 16 districts ranging from small districts, Class D, to Class A districts. Some of these districts have more outside support than others do and our smaller districts that are a little more on the outside edges of our ESU, of course, don't have as many, access to as many services. The one thing I hear from each of these districts--matter of fact, I'm fairly new to this position--in walking into this position one of the first things I heard was mental health is one of our needs that we need to address in our districts. For the most part they don't have the...they have limited counseling ability through their school counselor or school psychologist but certainly they don't have the credentials that they need to provide the kinds of support some of our students need. Having a school social worker...or, excuse me, a social worker in each ESU would help them provide some of the connections they need to be...just the different outside agencies that they have right now, and that need that's out there, the supports that are out there, outside of the school setting, are varied and they're changing and it's difficult to keep up on those. Right now we don't have the support or the resources in order to keep up with some of those things and keep families and schools connected with them. So certainly having those in there would be helpful. Certainly, we've heard a lot about that and one of the pieces I want to kind of leave you with is a story of a student I worked with named Joe. I think this comes back to Dr. West's story that he shared earlier about a family saying, mentioning that we shouldn't be kicking the can down the road, and I think Joe is a good example of this. The background on Joe is he was a child with mental health disorder. He was in and out of foster placements throughout his youth and didn't have any discernible stability adding to those pieces of mental health. As he finally reached his junior year in high school, he found a stable foster placement, loving, caring person to watch out for him, give him some stability, and just some structure in his life. He also came to my school that I was working with at the time and had a lot of people surround him with support that we could give him but it certainly wasn't enough. As Joe progressed towards graduation, the supports stayed in place until that day that he graduated, and of course at that point some of those people that were surrounding him went away because at age...as of 12th grade, those supports go. Joe ended up with...in circles that weren't circles that I would encourage anybody to hang out with and certainly at the end of it Joe found himself facing down a gun at point-blank range and was shot and killed by another youth with mental illness. I can share with you that in that instance we lost two youth to that particular affliction and it left me fairly broken at the time and wondering if I was in the right area, so. [LB998]

SENATOR GROENE: Thank you. Any questions? Thank you. Next. [LB998]

KEN HEINZ: Good afternoon, Senators. My name is Dr. Ken Heinz, K-e-n H-e-i-n-z. I'm the superintendent of schools at Weeping Water, been in education 33 years, 26 as an administrator,

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21 as a superintendent--don't hold that against me. I had great little notes and stories made up here and to be honest I don't even know where my notebook is. Things have been articulated so well here, I don't want to rehash that and make you guys sit through that. But if I might share a story with you that keeps coming back in my...or some thoughts that keeps coming back to me as I'm hearing testimony here, if I can do that, that would be great. You know, many years ago, special education came about to provide services for students with cognitive disabilities who were having trouble achieving academically. Schools jumped on board. We ran with that. We did the best we could. We assessed. We'd monitor. We make adjustments and I think did a pretty good job. Years later, a new identification came up--behavior disorder, BD--and it's kind of maybe the precursor to what we're seeing right now. Once again, it was a little different animal, but I think staff and districts made a concerted effort. We did the best we can. Again, we adjust. We monitor. We do everything we can to provide services for these students. But I'm telling you what, folks. This is a different animal, some of these things we're looking at today. In 33 years, I've watched this develop and it's way more of a challenge. One of the things that was a great help is the issues of the past. We could deal with, we could find resources to help us. We could find intervention and so on and so forth to come in and work with us, help us. It's not that easy now. I tried to form a cooperative with neighboring districts to hire mental health therapist. You can't find any. I called Dr. Randall to see if I could get a student teacher. They don't have any. I did call OPS and a couple other districts that have them, said, can I rent one for maybe one day a week? You can't get them. It's tough. To answer your question, Senator Linehan, about the do we need help in terms of interventions and some...absolutely, we do. We'll take whatever we can. There are limits, I think, and it has to be tempered with elements such as time and so on and so forth, not even just time for staff but you have to include wraparound services, a lot of different other issues that need to be included with that because of the many different issues within the family. So the point I'm trying to make here, and then I'll stop talking, is that a bill like this would provide that person we could contact, the smaller schools. And again, Weeping Water is right between Lincoln and Omaha, right, 25-30 miles, minutes, either way. If we're having trouble finding that, boy, think of some of these other schools. This bill will provide that for them, provide that point of contact we can get ahold of these people, get some expertise. They could make connections for us, give us places to go, so the bill would be a tremendous help for us. So I would ask you to support that and hopefully, hopefully schools my district's size, we can move forward and get these kids, continue to (inaudible) important services to students like we need to. So any questions I can answer? [LB998]

SENATOR GROENE: What ESU are you in? [LB998]

KEN HEINZ: 3. [LB998]

SENATOR GROENE: Which is southeast? [LB998]

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KEN HEINZ: The Papillion...yeah, the southeast: Papillion, Millard, (inaudible). [LB998]

SENATOR GROENE: And they don't have them...anybody with mental health background? [LB998]

KEN HEINZ: Well, they have other districts that we could...that I did, I contacted and said, okay, guys, can you help me out? And again, they...with the number of students they have, they're stretched pretty tight, so, yeah. But they don't necessarily have there...did we get some ideas from them? Yeah. Did it take us a long time to get there? It did. We eventually got there, but it took a lot longer than it should have. [LB998]

SENATOR GROENE: So they do have some assistance, the ESU? [LB998]

KEN HEINZ: They don't have mental health people on staff but they have people that could help us make some connections, which they did, they're very good at. [LB998]

SENATOR GROENE: And you've looked into co-oping with other school districts to hire one individual? [LB998]

KEN HEINZ: Yes, yes, yes, yes. And if I could find a district, a couple districts that would co-op with us, we would do that in a minute. But people aren't there that we could find. [LB998]

SENATOR GROENE: And you put an in the paper or looked... [LB998]

KEN HEINZ: Yeah. [LB998]

SENATOR GROENE: ...and no applicants came that had social... [LB998]

KEN HEINZ: And we did social media type (inaudible). [LB998]

SENATOR GROENE: You were looking more for mental health not social worker. There's a difference. [LB998]

KEN HEINZ: At that...yeah. So at that time we were, yes, we were looking for that mental health person at that point. [LB998]

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SENATOR GROENE: Thank you, appreciate the info. [LB998]

KEN HEINZ: Thank you, Senators. [LB998]

LAURA BARRETT: (Exhibit 17) Good afternoon again, Chairman Groene and the Education Committee. Thank you for letting me come visit with you twice this afternoon. I have quite a bit written up but a lot of it has already been said, setting the stage of what the needs are. We have students with a lot of needs in our area. And, Senator Erdman, I thank you for remembering that there...you know that there's a state beyond Cozad, there's a state beyond Lincoln, and we have different picture. And I want to thank Senator Walz for remembering that and involving me in the conversation about this bill and how do we make this something that could work. [LB998]

SENATOR GROENE: Did you state your name and spell it for us? [LB998]

LAURA BARRETT: Oh, shoot! I did, I forgot. Sorry. [LB998]

SENATOR GROENE: I know you did the first time. [LB998]

LAURA BARRETT: My name is Laura Barrett, L-a-u-r-a B-a-r-r-e-t-t. Thank you for that reminder. So I want to thank on that piece. I will say that our schools do have a lot of things in place for trying to provide those mental health supports and through Educational Service Unit 13 we have school psychologists who provide some of those supports. We have a licensed mental health practitioner, licensed independent mental health practitioner, and we do contract those out for those direct services to students. And what we see is different in this bill would be having someone to help connect with additional resources to those families. And so we...you've heard about the unique training that social workers have. What I also want to point out is I think this is an excellent connection with the systems of care work that is going through the DHHS and it is looking at creating that sustainable system that's family driven, it's trauma informed, it really does create that whole system across the state. In one...in our region, we are looking at using it for community response, which is specifically this. It is having these resources and what we're...we've talked about the issue is, is our schools do not have the staff available to make referrals to these programs because they're not always avail...aware of these programs. A lot of the programs that we have vary. We serve 11 different counties and many of the programs serve four or five of those counties or six or seven. And so having somebody who has specific knowledge of those programs will be especially beneficial for the Educational Service Unit 13 area. And the other part of it is, as you know as well as I do, some grants come, they go away, the different eligibility criteria. Our providers, our school counselors don't have the time and resources to understand all of these different pieces that would go there. I also think using ESUs as a part of this is a good idea because as ESUs we are charged with knowing our school

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districts. We have relationships with them. We are in them every day and we are able to build a program. I appreciate the flexibility to make that decision upon who to hire and what that exactly, precisely looks like based on our needs. The needs in the Panhandle will look different than the needs in ESU 3 in La Vista, and so we appreciate that. I have spoken with you twice today and I appreciate you guys listening to me. I feel strongly that this is an important topic that we need to address and we need to find solutions and I appreciate your willingness to listen. Any questions? [LB998]

SENATOR GROENE: Any questions? Thank you. [LB998]

ANN HUNTER-PIRTLE: (Exhibit 18) Good afternoon, Chairman Groene, members of committee. My name is Ann Hunter-Pirtle, A-n-n H-u-n-t-e-r, hyphen, P-i-r-t-l-e. I'm the executive director of Stand for Schools, a nonprofit dedicated to advancing public education in Nebraska. I won't repeat the great information that's been provided to you this afternoon, just want to note that Stand for Schools strongly supports this bill because mental and behavioral health issues are such a huge challenge, broadly speaking, for public education in the state. I also want to reiterate that Senator Walz's intention is to have this program privately funded in its first three years, which we think makes it a clear win-win for the state, students, and school districts. Urge you to advance it to General File. Thank you very much. I'm happy to take questions. [LB998]

SENATOR GROENE: Any questions? Thank you. [LB998]

ANN HUNTER-PIRTLE: Thank you. [LB998]

JON HABBEN: Good afternoon, Senator Groene, members of the committee. My name is Jon, J-o-n, Habben, H-a-b-b-e-n, Nebraska Rural Community Schools. We're pretty aware of how many schools there are around the state. We have about 196 members and they are in 89 counties. And one of the interesting things about discussions with superintendents from a lot of those areas is, and it's not just new, is this issue of families and behavioral health. And in so many instances, you can't separate the two. Somehow they get linked way more often than any of us would like to admit. We have a tendency to believe we can fix it; we have a tendency to believe that if we just keep working on it, we have a tendency to believe that maybe there's nothing we can do. The last part is the pill that nobody wants to swallow. So when we have an opportunity for this type of discussion to put an issue on the table that says we're going to be proactive here, we're going to try and figure out how it is we can do better, the issues of family disorganization are everywhere. In all of the schools I was in, all you had to do was look and you found it. Has it been increasing over the last few years? Very sadly, yes, it has. Has it increased to the point where we don't...we just give up? No, it has not. I don't think you will see schools

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just give up. There's going to be an effort. I hope the committee sees that the state of Nebraska, the Legislature, can be a part of the effort. It has to be attacked and I mean attacked. It has to have people. It has to have effort. It has to have time. It has to have resources in order to be able to move forward to actually push the envelope instead of just the same and this is all we can do. I appreciate Senator Walz's bill. I know you get into the fiscal notes and this is the wrong year and I understand that. But having these things on top shelf and continuing to push these things so that that day will come when we take that step, I think, is very, very important and I hope you'll consider this in that light. There are 245 school districts and there are lots of issues, but those issues occur everywhere, large and small, east and west. They occur everywhere, and buying into the service units as a location that we can use as a focal point I think is really a strong element of this. That's all I have to say. Thank you. [LB998]

SENATOR GROENE: Any questions? You do know, Jon, that this isn't mental health, this is social work. [LB998]

JON HABBEN: Yes. Well, that's why I referenced family disorganization. Yeah. [LB998]

SENATOR GROENE: And a social worker would reference families to the professionals. We're not talking... [LB998]

JON HABBEN: Um-hum. [LB998]

SENATOR GROENE: And you've been around long enough. Is all bad behavior a health problem? [LB998]

JON HABBEN: You know, I think those are the questions we've struggled with for years. If you go back to the...when I was teaching, you had a tendency to look through those eyes and you may not have talked about needing a social worker or you may not have talked about needing that professional help. [LB998]

SENATOR GROENE: But in your experience, did a little discipline sometimes take care of the behavior? Is it always behavioral health? [LB998]

JON HABBEN: Discipline, in my opinion, is the appropriate discipline. The appropriate discipline is always a good thing. [LB998]

SENATOR GROENE: But not all behavior, bad behavior, what we in society consider as bad behavior, is a health problem. [LB998]

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JON HABBEN: No, no. And I don't think any of us want to go in... [LB998]

SENATOR GROENE: It's called human nature. [LB998]

JON HABBEN: Yeah, I don't think we want to go in that direction where we start labeling every bad behavior a mental health, behavioral health, family disorganization. I don't think we want to do that. [LB998]

SENATOR GROENE: And like every medical discipline, it's not 100 percent success rate. [LB998]

JON HABBEN: No, they will be... [LB998]

SENATOR GROENE: I think Von Maur shooter, if I remember right, we spent \$300,000-400,000 on treatment for that young man through his life, so not every... [LB998]

JON HABBEN: Yeah. [LB998]

SENATOR GROENE: There's no silver bullet...I should...that's a bad word. [LB998]

JON HABBEN: But I understand what you're saying, yeah. [LB998]

SENATOR GROENE: There's no silver answer to it. [LB998]

JON HABBEN: I understand what you're saying. If there were such things, I hope we would have found them long before this and they'd be in place. But that whole issue of...and I can...you know, the...as a principal and as a superintendent, the number of court situations I was a part of to remove kids from families to go to Boys Town or whatever, you know, all those kinds of things, and so many of us have done those things, when they start seeming to increase, that's when you start saying, wait a minute, this is beginning to move beyond our capacity to deal with it. Now how...what can we look for? Can we look to our neighbors? Can we look to the service unit? Can we look to the private sector? You know, how is it we look for these things? And when you're rural, one of the things you're looking for is some type of collaboration because you yourself aren't...you probably don't have the population that you're going to have a critical mass, so to speak, that causes you to be able to go out and hire somebody on your own even if you could. [LB998]

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SENATOR GROENE: Have you seen a sense of competitiveness between the ESUs and local schools where some schools would collaborate and hire their own psychologist and the ESU says, well, we want to sell you that service? I see you're smirking, but I've heard of such instances, so. [LB998]

JON HABBEN: I have to tell you, having been in three different service units that I really valued highly, you do get that difference of opinion, and that's why you have superintendent advisory groups to meet in each service unit. And sometimes all of those superintendents, and they represent their boards, aren't agreeing. Well, let's just do this ourselves because we want to do it this way--yes, you do see those things occur. Hopefully they're not duplicating things but, yes, you do see those things occur. I don't know if it would be competition, more just we believe it ought to be done this way rather than that way. [LB998]

SENATOR GROENE: So something like Senator Walz's bill to create a facilitator for mental health, that would help the school districts if they want to go out and hire their own, want to cooperate with a school down the road. Wouldn't that be a mission that would be worthy of pursuing instead of saying this ESU is the go-to place for mental health or social services? [LB998]

JON HABBEN: You mean not housing this person with the ESU? [LB998]

SENATOR GROENE: Or have one individual who facilitates, helps the districts have the least-cost... [LB998]

JON HABBEN: Oh, oh. Yeah. [LB998]

SENATOR GROENE: ...pathway to provide the services. [LB998]

JON HABBEN: Yeah. There are certainly times when school districts have gone together and said we need this, we believe we need this, and they've done that and they've cooperated in some fashion. We've seen it with curriculum; we've seen it with this type of issue. You know, those things are going to occur. I...my concern with those when they happen with a few school districts here, they are happening with a few school districts here and we may not have that larger group and that's what an ESU can represent is that larger group. And that's why in rural so often we go to the service unit as the go-to agency simply because of that,... [LB998]

SENATOR GROENE: Thank you. [LB998]

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JON HABBEN: ...whether it ends up that way or not. [LB998]

SENATOR GROENE: Thank you. Any other questions? Any more proponents? [LB998]

JON HABBEN: Appreciate it, thank you. [LB998]

SENATOR GROENE: Yes, sir. [LB998]

TOM VENZOR: (Exhibit 19) Good afternoon, Chairman Groene and members of the Education Committee. My name is Tom Venzor, T-o-m V-e-n-z-o-r. I'm the executive director of the Nebraska Catholic Conference which represents the mutual public policy interests of the three Catholic bishops serving in Nebraska. We support LB998 because it addresses a rapidly increasing need to provide more mental and behavioral health services to children in all schools, including K-12 private, parochial, and denominational schools. Many students in Catholic schools are manifesting a greater number of mental and behavioral health issues. Anxiety, in particular, is a rapidly increasing problem and it follows from things like family instability and increased social media activity. Anxiety, depression, and emotional instability have a documented and commonsense negative impact on a child's school experience, and these issues can lead to even greater health consequences if left unaddressed. That's why Catholic Charities of the Archdiocese of Omaha recently partnered with seven Omaha-area Catholic schools to provide direct therapy services for one half-day per week at each school. I've included an article in my written testimony from the Archdiocese of Omaha Catholic Voice with more information on this initiative. The pilot project was scheduled to begin in January 2018 but demand from Catholic schools was so great that Catholic Charities expedited the starting date to October 2017. Services are provided by licensed mental health therapists directly at the school site and include specialized counseling that goes beyond the training of a general school counselor. Lack of funding, however, has limited the program to only one half-day per week at only a handful of Omaha-area schools. The program does include a telehealth option with on-line resources for rural Catholic schools, but Catholic Charities hopes to obtain sufficient resources in the future to expand direct services to more Catholic schools in more communities. LB998 will help equip personnel at public and private schools, especially in rural areas, with important tools to better address mental and behavioral health issues among their students. While we have questions about how much cost nonpublic schools should bear, we would support the equitable participation of nonpublic school students in being included as a partner in the ESU initiatives. We thank Senator Walz for her openness to these ideas and look forward to working with her on any amendment to this regard if the legislation advances. LB998 addresses an important and growing need in our public and private schools as more children grow up without a mother and father and as pervasiveness of social media continue to expand, to just name a couple examples

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of challenges facing our students. We owe it to our students to address their resulting mental health needs. We encourage you to advance LB998 to General File. Thank you. [LB998]

SENATOR GROENE: Thank you. Questions? Don't see any. Thank you, Tom. [LB998]

TOM VENZOR: Yep, thank you. [LB998]

SENATOR GROENE: Any other proponents? We have a list here of letters of support: Kay Mudloff, O'Neill Public Schools; ESU 6; Mary Schlieder, Holland; Raymond Wood, La Vista; Rob Sankey, Lexington; Nancy Comer, Lincoln; Steve Rinehart, Osceola Public Schools; Mary Luhr, Norfolk Public Schools; Haley Strobel, ESU 7; Fremont Public Schools; O'Neill Public Schools; Thayer Central Public Schools; ESU 5; Larry Grosshans, Norris Public Schools; Cassie Prothman, ESU 7; Katye Thomas, Lincoln; Nebraska Association for Marriage and Family Therapy; Melissa Legate from Pierce High School; Suzette Curry from Ponca Public Schools; Children's Hospital; Paula Peterson, Columbus; Northeast Nebraska Behavioral Health Network; Jewel Swanson, O'Neill; Liz Mallory, Schuyler; Jim Kasik, Schuyler; Debbie Adams from Columbus; Brenda Simpson from Norfolk; Tammy Day, Norfolk; Patti Gubbels, Norfolk; Brenda Niff, ESU 5; Tri County Schools; Darlene Pierce, Fairbury; NASB; Chad Denker from David City; Jen Glenn from ESU 7; Brandy Rose from ESU 7; Ralston Public Schools; Voices for Children; ESU 4; Kim Frederick from ESU 7. If I butchered your name, I apologize, but that's the list of proponents. Any opponents? Have no letters in opposition. Neutral? Senator Walz. [LB998]

SENATOR WALZ: (Exhibits 20-61) Thank you, Senator Groene. I'm handing out some letters that were not part of the official record today and these are letters from individuals who mostly have a direct contact with our students every day and really know what's going on in their lives. These are all individuals that took the time to write about this. I've read each one of these and I hope that you will, too, because the issue is very important. I would also feel bad if I didn't give a special thank you to all the people who have worked so hard in the past few months: Dan Schnoes from ESU 3; Dave Ludwig from the ESU Coordinating Council; Deb Anderson from Project Harmony; Ken Heinz from Weeping Water Public Schools; Laura Barrett from ESU 13; Larianne Polk from ESU 7; Julia Hebenstreit from the Kim Foundation; Patty Jurjevich from Behavioral Health Region 6; Amanda Duffy Randall from the UNO School of Social Workers; and many, many more. First of all, I want you to know that I really did take the initiative to go out and look for potential donors. I didn't have anybody come to me with this bill. It was something that I took the initiative to go out and look for donors because that's how important this issue is. I know the fiscal restraints that we have this year and I tried to eliminate the fiscal note. This program will add services to all kids in the state of Nebraska for both public and private schools. This bill is a bridge to providing children with needed services and providing

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students and families preventive education in addition to taking away barriers that keep children from achieving academic success. You asked questions about the mental health specialist, and these wonderful professionals have the ability to treat children, but they usually don't have the time to connect kids to community resources and they usually don't provide preventive education in the schools where it's so badly needed. We can treat and treat more and more and more children every year, just continue to treat more and more and more children. But there has to be a point when we try and prevent the problems from occurring. There is so much opportunity within this concept. We can look outside the box and we can be creative to address the challenges that children and families face. You keep asking about don't they already have these services and don't they already have this assistance and I just want you to know that I think if it was adequate, we wouldn't have so many people and so much demand for the services. I want to go back to being creative. Each district is unique and each district has its own needs. You know, Senator Linehan and I talked the other morning about what kind of preventive measures this bill could provide if we're creative enough and we work together on this. You know, maybe it's education, teaching kids how to identify other kids who might need help and how to deal with those other kids, because I think a lot of times kids know that there's a problem with somebody else, with another student, but they just don't know what to do about it. Maybe it's a family night in the school district where the social worker is there providing some education and training on resources in the community. Maybe it's training on, you know, how to be a parent. If you want to look at adding responsibilities to this social worker, we can work together on that as a committee, if you have ideas on things that you feel are a need, but I think it's kind of neat that we're able to leave it open and let the ESUs and the school districts make that decision based on the needs in their communities. I really want five votes so we can get this out and talk about it on the floor. And, Senator Groene, I'm willing to work with you to get that done. This issue is not going away. This issue is an epidemic. Thank you. [LB998]

SENATOR GROENE: Questions? You have no fiscal note. [LB998]

SENATOR WALZ: No fiscal note. [LB998]

SENATOR GROENE: And nothing happens for three years, I mean, if they can get the money next year, it starts and we leave it to the Coordinating Commission of the ESUs, right? But then you say the cost shall be borne equally between the educational service unit, school districts within the educational service unit, and the General Fund. What do you mean by the General Fund? [LB998]

SENATOR WALZ: I didn't want to put the General Fund in there. It was just part of that. I don't think it needs to be in there, actually. [LB998]

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SENATOR GROENE: Because you've got it unlimited if you got... [LB998]

SENATOR WALZ: Because I think it can be absorbed within each of the school districts in the ESU. [LB998]

SENATOR GROENE: Because it's kind of scary... [LB998]

SENATOR WALZ: Sorry. [LB998]

SENATOR GROENE: ...for Mr. Stinner because all of a sudden somebody gives a billion dollars, we're going to have to come up with a... [LB998]

SENATOR WALZ: Right. [LB998]

SENATOR GROENE: ...matching amount of an equal. [LB998]

SENATOR WALZ: Right. No, that was... [LB998]

SENATOR GROENE: So we could work on that? [LB998]

SENATOR WALZ: Yeah. [LB998]

SENATOR GROENE: Yes, all right. And then also: The State Treasurer shall credit the fund such money as is transferred to the fund by the Legislature. You are still here, which hopefully you are, then in three years... [LB998]

SENATOR WALZ: Thanks. [LB998]

SENATOR GROENE: ...you would come with another bill asking for appropriations because right now there's none in here. [LB998]

SENATOR WALZ: Um-hum. [LB998]

SENATOR GROENE: Is that true? So we'd have three years? [LB998]

SENATOR WALZ: I have to...I don't know for sure, Senator Groene, how that works. [LB998]

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SENATOR GROENE: All right, well, we can talk about it. [LB998]

SENATOR WALZ: Okay. [LB998]

SENATOR GROENE: So thank you. Any other questions? Thank you. [LB998]

SENATOR WALZ: Thank you. [LB998]

SENATOR GROENE: We're going to take a five-minute break and then we'll have the committee bill and LaMont will present it.

BREAK

LaMONT RAINEY: (Recorder malfunction)...(Exhibits 1, 2, and 3) Chairman Groene and members of the Education Committee, for the record my name is LaMont Rainey. That is L-a-M-o-n-t R-a-i-n-e-y. And I'm the legal counsel to the Education Committee, here today to introduce LB1081 which was brought to the committee by the Nebraska Department of Education, a member of which will testify after me and can provide the department's rationale for the changes requested. LB1081 is a bill that's often referred to as the annual cleanup bill, or technical bill, and would make the following changes. Under section 1...section 1 would require the Learning Community Coordinating Council to file an annual financial report with NDE. Currently NDE compiles this data by pulling the data from the Learning Community and its member school districts, compiling it, and then sending it back to the Learning Community. Section 2 would amend 79-262--which provides for the school or Board of Education rules and standards to establish and distribute and post--to require that all school boards in collaboration with the county attorney in which their principal office is located review the rules and standards for student conduct adopted by the School Board, which would require the school to contact law enforcement if a student were to display such conduct. Section 3 amends 79-293 to provide that the change of requirement for when principals are required to notify law enforcement, they change that reference from the current 79-267 to the revised 79-262 as such section requires school principals to contact law enforcement in certain instances. Section 4 would amend 79-2136, which provides for a part-time enrollment of students to provide that districts under this section can enroll nonresident students as allowed under 79-215, which section provides for student admission and tuition. And a copy of 79-215 has been provided for you with your materials. Section 5 amends 79-408 to provide that a territory within a city of the primary or metropolitan class that is not part of a Learning Community shall constitute a Class IV school district. Currently, only a territory within a city of the primary class may be a Class IV school district. Please note that once a city is designated a metropolitan class it must become part of a Learning Community. This section would only pertain to Lincoln at the current time. Section 6

amends 79-528--reports, filing requirements, and contents--to no longer require the Nebraska Department of Education to file the following reports with a Learning Community Coordinating Counsel: there's a census count of 15- to 18-year-olds in the Learning Community, there is the end of the school year annual statistical summary based on member school districts, there is also the annual financial report for the Learning Community Coordinating Counsel based on the annual financial report filed by each member school district as we are now requiring...would require under this bill for the Learning Community Coordinating Council to file that information with NDE, and then there's also the fall Learning Community Membership Report. That would all go away. Section 6 also changes the reporting date of the fall school district membership report from the last Friday in September to October 1 of any given year. This aligns data report for school and federal purposes, but also makes the date a more determinate number instead of trying to figure out when the last Friday of September is going to be. Section 7 amends 79-529--failure to file annual financial report--to strike reference to subdivision (3)(a) and replace it with subsection (3). Section 8 amends 79-760.06--the accountability system--to change the current provision that no more than three schools may be designated priority schools to now provide that no less than three schools may be designated priority schools. This change does not require an increase in the number of priority schools, but permits more schools to be designated a priority school using federal funds under ESSA. This section also strikes an obsolete reference for progress plans for initial schools designated as priority as there was some specific mention to information that was required by August 15, 2016. As that date has already passed and those plans implemented, that reference is no longer needed in statute. Section 9 amends 79-760.06...excuse me, 79-760.07--priority school, intervention teams, members, duties and expenses--to change from five to three the number of years a school can be designated a priority school before the state board shall reevaluate the progress plan to determine if significant revision to the plan is required or needed. This change from five to three years aligns with the federal Every Student Succeeds Act, or ESSA. Section 10 amends 79-870--commissioner, commission, board, and witnesses, power to subpoena--to clarify that a subpoena issued by the commissioner is to be used for investigatory purposes to carry out duties assigned in 79-866 and mirrors language used by the Legislature for other agencies for investigatory subpoenas. Section 11 amends 79-1003, or the TEEOSA statute, to change the date under the qualified early childhood education fall membership definition from the last Friday in September to October 1 of each school year. This change aligns the reporting requirements under this section for state and federal purposes. Sections 12 and 19 reference changes to...that are made under section 21. Section 21 would eliminate...or repeal outright, excuse me, section 79-1013 and section 79-1014. These sections were first enacted in 2006 as a response to lawsuits filed regarding poverty funding and funding for limited English proficiency components under the old TEEOSA act. The completion of the plans and the review by the NDE or the Learning Community were designed to determine how school districts were addressing the needs of poverty students and students with limited English proficiency with the funding and to determine practices. According to NDE, since 2006 all reviews to date have shown school districts are utilizing best practices for these

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students and the plans no longer serve a purpose that has not already demonstrated with federal plans and school improvement plans required for accreditation. Those are the changes under LB1081. And I would answer any questions that you may have. [LB1081]

SENATOR GROENE: Do you have a question? [LB1081]

SENATOR KOLOWSKI: Yes. Thank you, Mr. Chairman. LaMont, what is...out of all these, what are the super concerned areas compared to just the concerned areas that you might have that would come up for many annual, because there's a lot of things here about the Learning Community and some of the modifications within that. Would you comment on that as far as... [LB1081]

LaMONT RAINEY: Okay. [LB1081]

SENATOR KOLOWSKI: ...difficulty on some of these? [LB1081]

LaMONT RAINEY: I would say that certainly concerns that have been expressed by members of the committee over the years have been how we deal with priority schools and the time frame in which we require the additional interaction, should I say, from NDE. And so the changes under section 9... [LB1081]

SENATOR KOLOWSKI: Um-hum. [LB1081]

LaMONT RAINEY: ...would explicitly address that section because we said by statute, hey you can be a priority school and if five years goes by and you're still on the priority designation then NDE comes in and can do something else. So changing that five-year time frame at three years provides the authority for the state board and NDE to act in a quicker time frame. [LB1081]

SENATOR KOLOWSKI: That's one that I had down too. [LB1081]

LaMONT RAINEY: And as well as with section 8, where we are saying...changing it from no more than three priority schools to no less than three priority schools. That doesn't...in and of itself that does not generate an additional fiscal note or an increase in the fiscal note, it just says that if NDE were to be able to find money elsewhere for this particular purpose, they can use it. And so under the Every Student Succeeds Act there is a provision that we've got to do is a 10 percent of what used to be Title I schools, I believe. I'm kind of trying to pull that off out of memory here, and Brian can correct me as he comes up. But that provides NDE with the

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flexibility to use federal funds to add more priority schools than what the state funds through our General Funds... [LB1081]

SENATOR KOLOWSKI: But you've got to have enough people to go out and do that... [LB1081]

LaMONT RAINEY: That's right. [LB1081]

SENATOR KOLOWSKI: ...(inaudible) that particular school and (inaudible)... [LB1081]

LaMONT RAINEY: That's right. And Senator Kolowski, you were here when we were implementing that and also when Senator Adams was requesting that...along with NDE the recognition that we hadn't done a priority school system in kind of a turn-around of a school before, and so we needed to build up that infrastructure... [LB1081]

SENATOR KOLOWSKI: Um-hum. [LB1081]

LaMONT RAINEY: ...and so having a small number of schools to kind of learn our way and get our footing... [LB1081]

SENATOR KOLOWSKI: No less than three is adequate, but... [LB1081]

LaMONT RAINEY: ...would be beneficial and so now... [LB1081]

SENATOR KOLOWSKI: ...What's the top number? [LB1081]

LaMONT RAINEY: Right. And so now they've done a turnaround and if we can use federal funds to increase that number from three to whatever, then that's what they're seeking there. As far as the poverty plans and limited English proficiency plans, it's a change but it's not a major change because that information is provided for under ESSA and is provided for under our state's assessments as it is. And so, in some respects, it's kind of a redundant effort that we require the schools in NDE...to submit to NDE and NDE to look at and/or review those plans when they're going to have to do the same thing under ESSA and under their assessments. [LB1081]

SENATOR KOLOWSKI: Any other major landmines as you look at it? [LB1081]

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LaMONT RAINEY: You know, I don't...I don't know what a particular member will find of interest to them, but certainly the bill in and of itself wasn't designed or intended to be confrontational or... [LB1081]

SENATOR KOLOWSKI: Um-hum. [LB1081]

LaMONT RAINEY: ...you know, there is also a component that provides for the Class IV...the adding to the...adding metropolitan to the primary class for a Class IV school district. Before they are...before they are deemed a Learning Community. And so this is kind of a timing issue with LPS being the only Class IV. There's a school of thought that if they are allowed to remain a Class IV once they get the population threshold to a metropolitan-class city there could be some benefit to that. If doing so before they are designated a Learning Community school, because remember once a locale or a city has been designated a metropolitan-class city they're also going to be...they've got to form a Learning Community. And so there could be a need to address the Learning Community situation going forward, particularly as Lincoln hits that population threshold. [LB1081]

SENATOR KOLOWSKI: Okay, thank you, sir. [LB1081]

SENATOR GROENE: The only thing I asked to be put in here into working with the Learning Community and the Department of Ed was section 1... [LB1081]

LaMONT RAINEY: Correct. [LB1081]

SENATOR GROENE: ...when we...can you remember right at the...when I put the...when the committee staff put together the funding sources we found out that all school districts have the AFR report, we never added the Learning Community to that. So when the staff was putting together the figures on spending in the state of Nebraska, the Department of Ed did not have those numbers. They contacted the Learning Community, who gladly forwarded them to us. And when we met with the Learning Community they said, yeah, we would gladly submit those just like every other school district, but it wasn't in statute. [LB1081]

LaMONT RAINEY: Um-hum. [LB1081]

SENATOR GROENE: So that's a cleanup. As far as the Learning Community and the reporting, as LaMont said; we changed the Learning Community quite a bit here two years ago. It has very little authority. It's redundant, those same schools that are giving reports to the Department of Ed on their poverty, they present a report and they can say anything they want in there. They can say

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that they lowered the class size as their goal, they hired so many teachers. Nobody...the Department of Ed has no way to back it up, they just file the report, they look at it, see the money and then they file it. And nobody's ever looked at them. It's redundant, especially now that the Learning Community really has no authority to tell the school districts what to do. So it's a waste of valuable man hours in the business part of the Department of Education. So, I'm sure...but that was added because of that. So...is that...am I correct on that? [LB1081]

LaMONT RAINEY: Yeah. [LB1081]

SENATOR GROENE: Thank you. [LB1081]

SENATOR KOLOWSKI: I... [LB1081]

SENATOR GROENE: Senator. [LB1081]

SENATOR KOLOWSKI: But I would add that the Learning Community uses that internally as they have their consult meet and identify the data and the things they wanted to accomplish that year as compared to past years. And it's a very useful tool to them as well... [LB1081]

LaMONT RAINEY: Right. [LB1081]

SENATOR KOLOWSKI: ...in turn. Having spent four years on that, I know it backwards and forwards. [LB1081]

SENATOR GROENE: Thank you. [LB1081]

SENATOR KOLOWSKI: Thank you. [LB1081]

SENATOR GROENE: Anybody else for LaMont? Senator Erdman. [LB1081]

SENATOR ERDMAN: Senator Groene, thank you. LaMont, the last part of that says outright repeal section 79-1013 and -1014. Help me understand exactly why we're doing that, is it because Learning Community is no longer in its full function, or what's the reason for that? [LB1081]

LaMONT RAINEY: No, no. That's in regards to the poverty...the poverty plans and the limited English proficiency plans that school districts are required to tell NDE what they spent that

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money on. And so NDE receives those reports and they can make recommendations to how you can better use those funds, I mean so...it is a time-consuming thing. But there's really not the time or resources for NDE to dive in and say, okay yes, school, you've did this properly and adequately under these reports and mechanisms. But they are looking at...addressing how poverty impacts that school and how English proficiency impacts that school through ESSA and through their statewide assessments. And so there's a little redundancy there. There's a line of thought that at a time where we're cutting budgets, particularly NDE's budget, if we can save them some time by not having them do the same thing two or three times, that there's a cost-efficiency measure to be had there. [LB1081]

SENATOR ERDMAN: Okay. [LB1081]

LaMONT RAINEY: And so the funding that goes along with poverty and LEP doesn't go away. We're not changing that, we're just changing the reporting mechanisms for schools...the number of reporting mechanisms for those plans of schools to NDE. [LB1081]

SENATOR ERDMAN: All right, thank you. [LB1081]

SENATOR GROENE: Any other questions for LaMont? Thank you, LaMont. Proponents. [LB1081]

BRIAN HALSTEAD: Good afternoon, Senator Groene and members of the Education Committee. For the record, my name is Brian Halstead, B-r-i-a-n H-a-l-s-t-e-a-d. I'm with the Nebraska Department of Education. We're here in support of LB1081, and I'll stop right there and take any questions you might have on the bill (laughter). [LB1081]

SENATOR KOLOWSKI: Yeah. [LB1081]

SENATOR GROENE: That's nice. Senator Linehan. [LB1081]

SENATOR LINEHAN: Thank you, Chairman Groene. Thank you... [LB1081]

BRIAN HALSTEAD: Sure. [LB1081]

SENATOR LINEHAN: ...Mr. Halstead, for being here. Okay, I have a...which won't surprise you. I want to know what your magic is, because in preparing for tomorrow's hearing I read the debate on the priority schools when Speaker Adams had moved it from five to three. [LB1081]

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BRIAN HALSTEAD: Okay. [LB1081]

SENATOR LINEHAN: And I remember reading that this morning and one of the reasons they had to move them from five priority schools to three priority schools was because the fiscal note was \$4.3 million dollars. And now you come and you're moving it from less than three to more than three and it doesn't cost anything. That's quite magical. [LB1081]

BRIAN HALSTEAD: (Laughing) So you're looking for an explanation between then and now? [LB1081]

SENATOR LINEHAN: Well, between... [LB1081]

BRIAN HALSTEAD: Yeah. [LB1081]

SENATOR LINEHAN: ...and maybe I read it...because I wasn't here... [LB1081]

BRIAN HALSTEAD: No, no. [LB1081]

SENATOR LINEHAN: ...but that's what I read this morning. [LB1081]

BRIAN HALSTEAD: No. So...and you are absolutely correct. The current statute says that the state board cannot name more than three priority schools at any time. [LB1081]

SENATOR LINEHAN: Right. [LB1081]

BRIAN HALSTEAD: That was written prior to Congress reauthorizing the Elementary and Secondary Education Act doing away with "No Child Left Behind" and now we have... [LB1081]

SENATOR LINEHAN: Right, right, but no...that's...I understand all that, Brian... [LB1081]

BRIAN HALSTEAD: Right, right. [LB1081]

SENATOR LINEHAN: ...I'm just trying to figure out how when this bill... [LB1081]

BRIAN HALSTEAD: Right. [LB1081]

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SENATOR LINEHAN: ...LB483 (sic--LB438)... [LB1081]

BRIAN HALSTEAD: Right. [LB1081]

SENATOR LINEHAN: ...and they said five priority schools, it was going to cost \$4.3 million, so they had to drop it. That was the whole floor debate, why they dropped it down to three. So they dropped it down to three so the fiscal note would... [LB1081]

BRIAN HALSTEAD: Absolutely. [LB1081]

SENATOR LINEHAN: And now we're going above three and there's no fiscal note. [LB1081]

BRIAN HALSTEAD: No, what we are now doing, because "No Child Left Behind" has gone away; the prescriptive requirements of school improvement that drove all the federal dollars of how you had to use your Title I dollars for schools in improvement have gone away, all right? [LB1081]

SENATOR LINEHAN: So that...we're going to use federal... [LB1081]

BRIAN HALSTEAD: That frees up the use of the, I believe, it's 7 percent of the Title I dollars we get, ESSA requires us to set that aside to do the school improvement work. So those freed-up dollars now actually will allow us to say of the federal schools and the Title I dollars, we can say they're also priority schools so we have harmony between both the federal accountability, ESSA, and the state AQuESTT that we call. We recognize that you can't name every school in Nebraska a priority school because we don't have the resources, the staff, or whatever. So some of the...I would tell you the debate that was going on in 2012, '13, and '14--because Senator Adams had a bill every one of those years, finally his last year LB437 moved--there was a concern about how is the department, going to help out, what's it going to cost us? And that's a legitimate concern. By saying "no less than three" the state board is still going to have to deal with our budget as to what we can do with available resources, the state monies, hopefully, that are left after this biennium budget is balanced again and everything, and the use of the federal dollars. Before NCLB dictated how you had to do school improvement work, you didn't have as much flexibility that ESSA now provides to states to design their own accountability system. But it's a legitimate concern that I don't believe you're going to see the state board, Senator, naming a hundred schools because we don't have the capacity or the resources, so it's... [LB1081]

SENATOR LINEHAN: But there's some direction by ESSA that you do have to name...don't...they have... [LB1081]

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BRIAN HALSTEAD: There are requirements under... [LB1081]

SENATOR LINEHAN: ...I know it's not "No Child Left Behind," but... [LB1081]

BRIAN HALSTEAD: Right. [LB1081]

SENATOR LINEHAN: ...they didn't leave it all behind. [LB1081]

BRIAN HALSTEAD: No, they did not, there are still parts of the accountability. What we now have are comprehensive support schools, and then...I'm trying to think...targeted support that you use the Title I set aside dollars, that 7 percent for, you have to first use it in your comprehensive support schools. Which, to us, is the same work we did with the three priority schools. They aligned better now as to what the federal government is asking for the federal dollars. We think we can make them both work together in a single system. So, yeah, there's going to be only...I think our set-aside for the 7 percent of Title I dollars is about \$5 million. I don't know the exact number, but a big ballpark. And how much money we have left from what was in our General Fund appropriations that we're recognizing that we're going to get cut, and that's the reality of the state budget. So we're trying to balance the two together so that there are uses of those Title I dollars that we could utilize and call those schools priority schools just like the state-identified ones under the AQuESTT system. So that's all we're trying to do, is get those together. [LB1081]

SENATOR LINEHAN: So we're still working from the list when it comes to priority schools or needs improvement schools from the list that came out in 2015? [LB1081]

BRIAN HALSTEAD: That's what currently is it. We will, this fall, reclassify all of the schools and districts under the accountability system, yes. [LB1081]

SENATOR LINEHAN: So that's the new goal line? [LB1081]

BRIAN HALSTEAD: That's the new goal line, both with ESSA and AQuESTT. This...after this year's school data, the '17-18 school year data, both federal and state law will have to classify all of the schools and districts for the, currently, the four classifications we have, both under the ESSA plan and the AQuESTT that we have for the state, yes. [LB1081]

SENATOR LINEHAN: So when you...when they decided to take Schuyler and make it a priority school, were they using the 2014-'15 school year information? [LB1081]

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BRIAN HALSTEAD: They were using the classifications from 2015 and using all of the data since that time when that was selected as the third priority school. We're still limited to three priority schools. [LB1081]

SENATOR LINEHAN: So it's not very transparent to me, that...and I understand this. So they used the '14-15 data that came up with the 15 rankings, but then you're saying before they picked Schuyler to replace Druid Hill that they looked at the data since... [LB1081]

BRIAN HALSTEAD: Some of the information that was provided in trying to determine the third priority school was looking at what had gone on since then at Schuyler Central. [LB1081]

SENATOR LINEHAN: Okay, thank you. [LB1081]

BRIAN HALSTEAD: The trend lines of that data... [LB1081]

SENATOR LINEHAN: Okay. [LB1081]

BRIAN HALSTEAD: ...so that's part of what went to the state board as the recommendation for selecting them. [LB1081]

SENATOR LINEHAN: Okay. Thank you. [LB1081]

SENATOR GROENE: Any other questions? On the priority schools; they stay one of your priority schools, it could be one, two, three years until you get it fixed? [LB1081]

BRIAN HALSTEAD: They stay as long as...until the state board says they're no longer designated as a priority school. [LB1081]

SENATOR GROENE: So the three of the number can keep rotating? It's not you do three this...January 1 this year, and then next year you pick three? [LB1081]

BRIAN HALSTEAD: Under state law we can only have three at any one point in time. So once you've named three, until one moves off... [LB1081]

SENATOR GROENE: So you drop one? [LB1081]

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BRIAN HALSTEAD: ...under state law we can't name another. [LB1081]

SENATOR GROENE: If you went into a small school, found a problem right away, fixed it, six months, you could drop them and add Schuyler mid year? [LB1081]

BRIAN HALSTEAD: Well, actually, the board decided that Druid Hill Elementary in OPS had shown enough progress to no longer classify them as a priority school which meant we only had two, Santee and Loup County. So the next question is who do you add, and that's where I think Senator Linehan... [LB1081]

SENATOR GROENE: That can be done any time in the process, yeah? So it can be dropped at any time... [LB1081]

BRIAN HALSTEAD: So long as you don't have three, yeah. At this point, that's it right now because the Legislature says... [LB1081]

SENATOR GROENE: Oh, so... [LB1081]

BRIAN HALSTEAD: ...we can have no more than three. Going forward, if you make this change, we could have five, six, whatever. That's always going to be a balancing act with available resources. [LB1081]

SENATOR GROENE: But my point is...my question is, a school can drop off any time and another one can be added any time. There's no date certain that you... [LB1081]

BRIAN HALSTEAD: Right, well... [LB1081]

SENATOR GROENE: ...that you announce your priority schools and then are on there for a certain amount of time. [LB1081]

BRIAN HALSTEAD: Right, it works through a natural progression because they don't just jump off tomorrow. There's work and there has to be evidence that they've done work that warrants it, so... [LB1081]

SENATOR GROENE: The difference between...when they did it originally with Senator Adams, you had no department in place, no employees, no team in place. [LB1081]

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BRIAN HALSTEAD: We had never done that... [LB1081]

SENATOR GROENE: Now that you know your cost of that team and now you know better what money...how much money you have and where you can spend it. Is that an assumption that... [LB1081]

BRIAN HALSTEAD: We have a better idea moving forward of the type of work that needs to be done. However, we...when we did it the first time around we found that there were really, in our eyes, there were four different types of schools that fell in the needs improvement classification. There was the urban-metropolitan schools, there was the rural-sparsely populated areas, there was the demographically shifting communities in Nebraska, and there were our Native American schools. We only could pick three, so the demographically shifting communities there was no priority school that time around because we could only do three. This time, the state board identified Schuyler Central because it is a demographically shifting community. It will give us an opportunity to learn how to work and to address some of those needs and learn from the people at Schuyler Central on their needs. So, if the statute had given us more, we might have picked more than that the first time out. And Senator Linehan is right, there was a concern to the state budget as to what was all this going to cost and that was part of the discussion... [LB1081]

SENATOR GROENE: To get the bill passed, that there was a limit. I can understand that. [LB1081]

BRIAN HALSTEAD: Yeah. [LB1081]

SENATOR GROENE: Any other questions? Thank you, Brian. [LB1081]

BRIAN HALSTEAD: You're welcome. [LB1081]

SENATOR GROENE: Any other proponents? No letters. Any opponents? No letters. Any neutral? You want to waive? Come on up. Did anybody have a question for LaMont? [LB1081]

LaMONT RAINEY: I was going to testify neutral (laughter). [LB1081]

SENATOR MORFELD: I smiled a little bit, for the record. [LB1081]

SENATOR GROENE: That ends the hearing on LB1081. [LB1081]