

E AND R AMENDMENTS TO LB 852

Introduced by McKinney, 11, Chairman Enrollment and Review

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

3 Section 1. (1) On or before August 1, 2023, each school district
4 shall designate one or more behavioral health points of contact for each
5 school building or other division as determined by the school district. A
6 behavioral health point of contact may be an administrator, a school
7 nurse, a school psychologist, or another designated person affiliated
8 with such school building or other division. Each behavioral health point
9 of contact shall have knowledge of community behavioral health service
10 providers and other resources available for students and families.

11 (2) On or before August 1, 2023, and on or before each August 1
12 thereafter, the State Department of Education, in consultation with the
13 Division of Behavioral Health of the Department of Health and Human
14 Services, shall provide each school district with a registry of state and
15 local behavioral health resources available to work with students and
16 families by geographic area. The registry shall be updated at least
17 annually and include resources for both school-based services and
18 services accessible by students' families outside of school.

19 (3) Each behavioral health point of contact shall coordinate access
20 to community behavioral health services for students and families and
21 facilitate access to services during the school day at the school the
22 student attends. Except as provided in section 43-2101, such facilitation
23 shall be approved by the student's parent or guardian.

24 (4) Before the beginning of school year 2023-24, and before the
25 beginning of each school year thereafter, each school district shall
26 report the designated behavioral health points of contact to the State
27 Department of Education.

1 Sec. 2. (1) The State Department of Education shall establish a
2 mental health first aid training program for teachers and other personnel
3 employed by a school district or an educational service unit
4 participating in a grant under subsection (2) of section 79-1054.

5 (2) The mental health first aid training is to be delivered by
6 trainers who are properly certified by a national organization for
7 behavioral health to provide training meeting the requirements of this
8 section. The program shall also provide an opportunity for teachers and
9 other designated personnel to complete the training necessary to become
10 certified by a national organization for behavioral health to provide
11 mental health first aid training to other teachers and designated
12 personnel.

13 (3) Mental health first aid training shall include training on:

14 (a) The skills, resources, and knowledge necessary to assist
15 students in crisis to connect with appropriate local mental health care
16 services;

17 (b) Mental health resources, including the location of local
18 community mental health centers; and

19 (c) Action plans and protocols for referral to such resources.

20 (4) A recipient of mental health first aid training shall also
21 receive instruction in preparation to:

22 (a) Safely de-escalate crisis situations;

23 (b) Recognize the signs and symptoms of mental illness, including
24 such psychiatric conditions as major clinical depression and anxiety
25 disorders; and

26 (c) Timely refer a student to mental health services in the early
27 stages of the development of a mental disorder to avoid subsequent
28 behavioral health care and to enhance the effectiveness of mental health
29 services. Except as provided in section 43-2101, any such referral shall
30 be approved by the student's parent or guardian.

31 (5) It is the intent of the Legislature that the mental health first

1 aid training program under this section shall be funded using lottery
2 funds under section 9-812.

3 Sec. 3. Section 79-1054, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 79-1054 (1)(a) This subsection applies until July 1, 2024.

6 (b) (1) The State Board of Education shall establish a competitive
7 innovation grant program with funding from the Nebraska Education
8 Improvement Fund pursuant to section 9-812. Grantees shall be a school
9 district, an educational service unit, or a combination of entities that
10 includes at least one school district or educational service unit. For
11 grantees that consist of a combination of entities, a participating
12 school district or educational service unit shall be designated to act as
13 the fiscal agent and administer the program funded by the grant. The
14 state board shall only award grants pursuant to applications that the
15 state board deems to be sufficiently innovative and to have a high chance
16 of success.

17 (c) (2) An application for a grant pursuant to this subsection~~(1)~~
18 ~~of this section~~ shall describe:

19 (i) (a) Specific measurable objectives for improving education
20 outcomes for early childhood students, elementary students, middle school
21 students, or high school students or for improving the transitions
22 between any successive stages of education or between education and the
23 workforce;

24 (ii) (b) The method for annually evaluating progress toward a
25 measurable objective, with a summative evaluation of progress submitted
26 to the state board and electronically to the Education Committee of the
27 Legislature on or before July 1, 2019;

28 (iii) (c) The potential for the project to be both scalable and
29 replicable; and

30 (iv) (d) Any cost savings that could be achieved by reductions in
31 other programs if the funded program is successful.

1 (d) ~~(3)~~ Based on evaluations received on or before July 1, 2019, for
2 each grant, the State Board of Education shall recommend the grant
3 project as:

4 (i) ~~(a)~~ Representing a best practice;

5 (ii) ~~(b)~~ A model for a state-supported program; or

6 (iii) ~~(c)~~ A local issue for further study.

7 (e) ~~(4)~~ On or before December 1, 2017, and on or before December 1
8 of each year thereafter, the state board shall electronically submit a
9 report to the Clerk of the Legislature on all such grants, including, but
10 not limited to, the results of the evaluations for each grant. The state
11 board may adopt and promulgate rules and regulations to carry out this
12 subsection ~~section~~, including, but not limited to, application
13 procedures, selection procedures, and annual evaluation reporting
14 procedures.

15 (2)(a) This subsection applies beginning July 1, 2024.

16 (b) The State Board of Education shall establish innovation grant
17 programs in areas, including, but not limited to, (i) mental health first
18 aid, (ii) early literacy, (iii) quality instructional materials, (iv)
19 personalized learning through digital education, or (v) other innovation
20 areas identified by the board. It is the intent of the Legislature that
21 such grant programs shall be funded using lottery funds under section
22 9-812. Grantees shall be a school district, an educational service unit,
23 or a combination of entities that includes at least one school district
24 or educational service unit.

25 (c) An application for participating in an innovation grant pursuant
26 to this subsection shall describe:

27 (i) Specific measurable objectives for improving education outcomes
28 for early childhood students, elementary students, middle school
29 students, or high school students or for improving the transitions
30 between any successive stages of education or between education and the
31 workforce;

1 (ii) Participation in a method for annually evaluating progress
2 toward a measurable objective, with a summative evaluation of progress
3 submitted to the state board and electronically to the Education
4 Committee of the Legislature on or before July 1 of each year;

5 (iii) The potential for the grant program to be both scalable and
6 replicable; and

7 (iv) Any cost savings that could be achieved by reductions in other
8 programs if the grant program is successful.

9 (d) Based on evaluations received on or before July 1 of each year
10 for each grant program, the State Board of Education shall recommend the
11 grant program as:

12 (i) Representing a best practice;

13 (ii) A model for a state-supported program; or

14 (iii) A local issue for further study.

15 (e) On or before December 1 of each year, the state board shall
16 electronically submit a report to the Clerk of the Legislature on all
17 such grant programs, including, but not limited to, the results of the
18 evaluations for each grant program. The state board may adopt and
19 promulgate rules and regulations to carry out this subsection, including,
20 but not limited to, application procedures, selection procedures, and
21 annual evaluation reporting procedures.

22 (3) (5) The Department of Education Innovative Grant Fund is
23 created. The fund shall be administered by the State Department of
24 Education and shall consist of transfers pursuant to section 9-812,
25 repayments of grant funds, and interest payments received in the course
26 of administering this section. The fund shall be used to carry out this
27 section. Any money in the fund available for investment shall be invested
28 by the state investment officer pursuant to the Nebraska Capital
29 Expansion Act and the Nebraska State Funds Investment Act.

30 Sec. 4. Section 2 of this act becomes operative on July 1, 2024. The
31 other sections of this act become operative on their effective date.

1 Sec. 5. Original section 79-1054, Revised Statutes Cumulative
2 Supplement, 2020, is repealed.

3 2. On page 1, strike beginning with "schools" in line 1 through line
4 4 and insert "education; to amend section 79-1054, Revised Statutes
5 Cumulative Supplement, 2020; to provide for behavioral health points of
6 contact; to provide duties for the State Department of Education, the
7 Division of Behavioral Health of the Department of Health and Human
8 Services, and school districts; to provide for mental health first aid
9 training; to change provisions relating to education innovation grants;
10 to harmonize provisions; to provide operative dates; and to repeal the
11 original section."