



**NOTICE OF MEETING and AGENDA
BOARD OF MENTAL HEALTH
PRACTICE**

This meeting will be held in person. The public is welcome to attend any Open Session discussion in the Nebraska State Office Building, Lower Level, Otoe Room. This meeting will also be available to the public by Microsoft Teams using this link:

<https://teams.microsoft.com/join/24021164838716?p=WjQmolewsQrNNH7jw0>

Meeting ID: 240 211 648 387 16

Passcode: Km9xZ62J

Call-in information: 1-402-257-5560; Phone Conference ID: 166 978 531#

PLEASE NOTE: members of the public who wish to join via Teams will need to wait in the lobby while the meeting is in closed session. We recommend that you wait in the lobby until the closed session portion of the meeting has ended and the meeting has been unlocked by the host.

AGENDA		Posted: 7/31/26
Date: August 14, 2026 9:00 a.m. Location: NSOB Otoe Room, Lincoln, Nebraska For Information Contact: Jessica Dean 402-471-4918 or jessica.dean@nebraska.gov	ROLL CALL AND CALL MEETING TO ORDER <u>Announcement:</u> There is a current copy of the Open Meetings Act posted on the door to the meeting room and available at the link listed below. ADOPTION OF THE AGENDA APPROVAL OF MINUTES – JULY 10, 2026 - Nebraska Department of Education Mandatory Assurance Statement (included with agenda) CLOSED SESSION (approx. 9:10 a.m.): Investigative Reports and Confidential Information <u>Purpose:</u> to heard discussions of investigative and confidential nature, and for the prevention of needless injury to individual reputations. OPEN SESSION: (approx. 1:00 p.m.): review, recommendations, email ballots, and applications UPDATES, NEW BUSINESS, AND REPORTS: - Legislation - Legislative Committee - Regulations - Association and Committee Updates - AASCB https://aascb.org/ - AMFTRB https://amftrb.org/ - ASWB https://www.aswb.org/ - IC&RC https://internationalcredentialing.org/ - Licensing Compacts - Social Work Compact - Counseling Compact - Email Ballots (if applicable) - Reports: disciplinary and non-disciplinary actions, licensure statistics, examination pass/fail report (included with agenda) PUBLIC COMMENT ADJOURN (approx. 3 p.m.)	

Nebraska Open Meetings Act: 84-1407 through 84-1414 <https://ago.nebraska.gov/open-meetings>

All items known at the time of distribution of this agenda are listed. A current agenda is available at the Department of Health and Human Services, Division of Public Health, Licensure Unit and at the following website: <https://dhhs.ne.gov/Licensure/Pages/Agendas-and-Minutes.aspx> If auxiliary aids or reasonable accommodations are needed for attendance at a meeting, please call Jessica Dean at (402) 471-4918 (voice), or for persons with hearing impairments, please call the Nebraska Relay System, 711 TDD, prior to the meeting date. Advance notice of seven days is needed when requesting an interpreter.

2026 Meeting Dates

1/16/26
2/3/26
2/12/26
5/14/26
6/5/26

(cont'd)

7/10/26
8/14/26
10/2/26
11/6/26
12/4/26

Agenda Item 3

These minutes have not been approved by the Board

MINUTES OF THE MEETING
Board of Mental Health Practice
July 10, 2026

1. ROLL CALL

The meeting of the Board of Mental Health Practice was called to order by Rebecca Czaja-Stevens, Chair, at 9:02 a.m. in the Lower Level Otoe Room, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, NE. In accordance with §84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) emailed to the Board members and other interested parties, 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and 3) posted on the bulletin board in the Nebraska State Office Building Lobby on June 26, 2026.

The following members answered roll call:

Members Present:

Sara Batter, Vice Chair
Rebecca Czaja-Stevens, Chair
Paul Davies, Secretary
Victor Gehrig
Renea Gernant
Yasmin Henderson
Adrian Martin
Susan Meyerle
Amanda Milander-Mace
Colton Nisley

Members Absent: (if applicable)

Tammy Erickson
Jennifer McNally

Staff and Others Present:

Maiya Baumann, Program Manager, Licensure Unit
Jessica Dean, Health Licensing Coordinator, Licensure Unit
Abigail Hoy Nissen, Assistant Attorney General
Milissa Johnson Wiles, Assistant Attorney General
Katherine Amyot, DHHS Legal
Ellie Rohr, DHHS Legal

A quorum was present, and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Gernant moved, seconded by Batter, to adopt the agenda for the meeting. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

3. APPROVAL OF MINUTES – JUNE 6, 2026

MOTION: Martin moved, seconded by Batter, to approve the minutes with corrections. Voting yes: Batter, Czaja-Stevens, Davies, Henderson, Martin, Meyerle, and Milander-Mace. Abstained: Gehrig, Gernant, and Nisley. Absent: Erickson and McNally. Motion carried.

4. LIMHP/LMHP LICENSURE DISCUSSION – SUSAN REAY, EdD., LICSW

Susan Reay requested to appear before the board to discuss proposals for changing the licensure of mental health practitioners in Nebraska. Reay is the School Director and John E. Christensen Chair of Social Work at the Grace Abbott School of Social Work at the University of Nebraska at Omaha. She wanted to discuss the possibility of changing the structure of licensure for mental health practitioners in order to streamline the licensure process and bring Nebraska's mental health license types more in line with licensure in other states and jurisdictions, as well as making it easier for Nebraska to participate in licensure compacts.

Reay provided outlines for two different proposed options to change the current licensure model. The first option would be to eliminate the Licensed Mental Health Practitioner (LMHP) credential altogether in favor of issuing one type of mental health license, the Licensed Independent Mental Health Practitioner (LIMHP.) The other option would be to transition to a discipline-specific licensure model. Under

this option, upon completing their education and supervised practice requirements, provisional mental health practitioners would apply for one of several discipline-specific licenses, including a Licensed Clinical Mental Health Counselor (LMHC) license, a Licensed Marriage and Family Therapist (LMFT), a Licensed Master Social Worker (LMSW), and a Licensed Independent Social Worker (LISW). The Certified Social Worker (CSW) bachelor's level license currently in place would not be changed.

Amoyot noted that for any change to licensure structure or scope of practice, the 407 Credentialing Review Process is required. Reay said that she will look into that process more in detail once the initial proposal is ready. Baumann noted that information on the Credentialing Review Program is available on the DHHS website: <https://dhhs.ne.gov/licensure/Pages/Credentialing-Review.aspx>. The page includes information, instructions, and relevant paperwork for initiating the 407 process.

MOTION: Meyerle moved, seconded by Gernant, for a report of all dually licensed LIMHP and LMHP licensees to be generated by Licensure Unit staff and included in the next board meeting agenda. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

5. CLOSED SESSION – CONFIDENTIAL INFORMATION

MOTION: Meyerle moved, seconded by Gernant, to enter into closed session at 10:02 a.m. to hear discussions of a confidential nature, and for the prevention of needless injury to individual reputations. A voice vote was taken. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

Break at 11:11 a.m.

Break at 12:57 p.m.

Henderson exited at 1:29 p.m.

Open session at 2:03 p.m.

Gehrig exited at 2:15 p.m.

6. APPLICATION REVIEW AND RECOMMENDATIONS

Christine Perkumas, Independent Mental Health Practitioner

The application for Christine Perkumas was tabled for more information.

Andrew Ashby, Independent Mental Health Practitioner

The application for Andrew Ashby was tabled for more information.

Jessica Duda, Provisional Mental Health Practitioner

MOTION: Davies moved, seconded by Martin, to recommend approval of the application. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

Jenna Kennedy, Reinstatement Following Revocation

MOTION: Gehrig moved, seconded by Davies, to recommend denial of the application due to insufficient evidence of a change in circumstances. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

Nathaniel Meegan, Preliminary Conviction Review (PLADC)

MOTION: Gehrig moved, seconded by Gernant, to recommend approval of the preliminary conviction review application. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

Nicholas Powers, Provisional Alcohol and Drug Counselor

MOTION: Gernant moved, seconded by Martin, to recommend approval of the application. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

Austain Standley, Provisional Alcohol and Drug Counselor

The application for Austain Standley was tabled for more information.

Kendra Williams-Russell-EI, Alcohol and Drug Counselor Reinstatement

MOTION: Davies moved, seconded by Nisley, to recommend approval of the reinstatement application. Voting yes: Batter, Czaja-Stevens, Davies, Gehrig, Gernant, Henderson, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Erickson and McNally. Motion carried.

7. UPDATES

a. Legislation

Baumann noted that there were no recent updates to legislation; as noted at the last meeting, LB 912 passed, which added a requirement for domestic violence training for mental health practitioners. She noted that at the previous meeting, there was a discussion of the Chiles v. Salazar Supreme Court case, and that Licensure Unit staff will be distributing Amyot's written summary of the case and its effect on disciplinary actions in Nebraska to all board members via email.

b. Regulations

There were no updates.

c. Association and Committee Updates

Baumann noted that in the interest of saving time during meetings, Licensure Unit staff is considering including a written summary of association and committee updates in a newsletter format to be included with meeting agendas or possibly distributed separately to board members via email. In order for these updates to be included in the agenda for each meeting, they must be provided to Licensure Unit staff at least 24 hours prior to each meeting in order to allow time for the items to be posted to the website.

i. AASCB <https://aascb.org/>

Meyerle said that the next hangout meeting of AASCB is scheduled on Friday, July 24th, 2026 at 11:00 a.m. Their annual meeting is scheduled for February of 2027.

ii. Counseling Regulatory Boards Summit Meeting, June 2026

Susan Meyerle's written summary:

"Opening keynote, Dale Atkinson presenter:

- What authority does a supervisor have? How much authority should they have? If the supervisor doesn't sign the paperwork, they often get a new supervisor so what is supervision really doing?
- He recommends that the purpose of the board should be in statute and read at each board meeting.
- Reviewed Alameda v ASWB, 2026 which challenged the SW exam for discrimination. Also raises the question, "Is there a limit to the number of times someone can take an exam?" Each state sets that limit.

California's ED Steve Sodegren:

- How can we use technology to track supervision requirements? Is there a way to receive real time verification of compliance? ACES has Field X which also allows videos to be submitted within the portal for the supervision to review. Fifteen states use ACS credential through ACES.

PARC suggested we add association reports to our board agenda (ACA, NASW, AAMFT)

Keynote from Kevin Doyle:

- Why do we have the requirements we do? What is our rationale?
- Can we now limit supervision to LIPCs? Do we now have enough to limit the credentials of the supervisor?
- What are the requirements for group vs individual supervision hours? Why?

ACA Ethics Presentation:

- New Director of Ethics is Renee Evans. Self care and forensics/types of subpoenas have been added to Code of Ethics. Nearing final review.

Exam updates:

- NCE is now offered in Spanish. Work analysis for both exams ended last month (was begun in 2024). Scoring changes in July 2027 which will allow for incorporating the difficulty of the question.
- NCE now has 170 (was 200) questions with 40 unscored. There will now be only 3 responses for the test taker to choose from.
- NCMHCE now has 10 case studies, had 11 in previous version.
- Domain performance is provided.
- NOTE: July – October 2027, candidates will NOT receive their score immediately after testing. This allows the team time to ensure the grading operates as intended.

State updates:

- Minnesota social work credential has an alternative pathway to licensure that does not require a social work exam. Additional supervision is required to receive the SW credential.

- North Carolina requires a supervision contract be on file with the state before supervision begins and the supervisor submits a quarterly progress report. (consistent with other states) Mississippi has the most intense communication during the supervision process.
- Kentucky is moving to a checklist for supervision to track location site and supervisor as well as direct time and indirect time.
- Ohio has FAQs describing the differences between a work supervisor and a clinical supervisor.
- Arizona requires the supervisor to take/pass the jurisprudence **tutorial**, not an exam. The cost is \$25. The tutorial is 50 questions and they receive 3 CEUs for successful completion.

Questions for our Board:

- Can privileged providers serve as supervisors?
- Do we still complete an annual report? Who receives that?
- CACREP – are we currently allowing one graduate hour or three for each area?"

iii. AMFTRB <https://amftrb.org/>

Martin said that the annual conference is scheduled on September 14th, 2026 in Portland, OR.

MOTION: Meyerle moved, seconded by Batter, to approve funding for Martin to attend the annual AMFTRB conference. Voting yes: Batter, Czaja-Stevens, Davies, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Erickson, Gehrig, Henderson and McNally.

iv. ASWB <https://www.aswb.org/>

Batter said that she will be attending a Regulations and Standards committee meeting in New Mexico in August and will report back to the board.

Baumann said that the ASWB is making some changes to the licensing exam in August. If necessary, exam paperwork and information listed on the Licensure Unit website will be updated.

v. Licensing Compacts

1) Counseling Compact

Meyerle: "Pennsylvania is poised to become the 40th state to pass the Compact legislation. There are six states currently issuing credentials. As of 7/8/2026, 1839 privileges had been issued with nearly 600 of those being requested in the last month with the fifth and sixth states going live. More proposed rules are out for public comment. The Commission is still substantially funded through ACA and NBCC.

Nebraska could be considering beginning to allow LIPCs to complete the background check. This will be required to request a privilege to practice and only newly licensed LIPCs have completed this requirement.

The next virtual meeting of the Compact Commission is September 2nd. A meeting link will be received later."

Baumann noted that Licensure Unit has been conducting fingerprint background checks since 2023 and has internal records on which licensees have completed those checks if necessary.

2) Social Work Compact

Baumann said that there was a commission meeting on June 10th, 2026. The compact continues to work on implementation and the next meeting is scheduled for September 9, 2026.

vi. IC&RC <https://internationalcredentialing.org/>

Baumann provided a brief summary of the IC&RC and noted that the board delegate for Nebraska had been a former member of the Board of Alcohol and Drug Counselors, which has now been merged with the Board of Mental Health Practice. Baumann noted that the next IC&RC conference is scheduled for October 13th-16th, 2026, in Biloxi, MS. Nisley indicated that he might be interested in attending IC&RC meetings as a board delegate for Nebraska.

vii. Meyerle noted that the University of Nebraska-Omaha has begun accepting applications for a new program offering a degree in Rural Mental Health Counseling.

d. Licensure statistics (attached to agenda)

8. PUBLIC COMMENTS

There were no public comments.

9. ADJOURNMENT

The meeting was adjourned at approximately 2:48 p.m..

Summarized by:
Jessica Dean, Licensure Unit

Agenda Item 6

SUMMARY COUNT OF LICENSES BY LICENSE STATUS

Alcohol and Drug Counselor

		Active	Application File Closed	Closed	Deleted	Denied	Expired	Inactive	Lapsed
Alcohol and Drug Counselor	933	45	1	29	15	409	275	1	30
Alcohol/Drug Prelim Conviction R2		0	0	1	1	0	0	0	0
Provisional Alcohol and Drug Cou	508	63	1	18	29	600	37	0	114
Total	1,443	108	2	48	45	1,009	312	1	144

	NonDisc Revocation	Null and Void	Pending	Reinstatement Pending	Revocation	Suspension	Voluntary Surrender	Withdrawn	Total
	23	7	3	27	1	11	47	1,857	
	0	3	0	0	0	0	0	7	
	1,165	15	2	22	10	9	45	2,638	
	1,188	25	5	49	11	20	92	4,502	

SUMMARY COUNT OF LICENSES BY LICENSE STATUS

Mental Health Practice

	Active	Active-Military	Application File Closed	Closed	Deleted	Denied	Denied Renewal	Expired	Expired Credential
EO 20-27 Prov Independent MHP	0	0	0	0	0	0	0	0	0
EO 20-27 Prov Mental Health Pra	0	0	0	0	0	0	2	0	0
Independent Mental Health Pract	3,985	5	308	3	89	18	0	467	0
Marriage & Family Therapist	156	0	26	1	2	3	0	75	0
Master Social Worker	1,574	1	93	0	9	4	1	413	1
Master Social Worker - CMSW	71	0	20	0	10	1	0	39	0
Mental Health Practitioner	2,395	2	246	3	155	20	1	2,423	3
Non-License (Exam applicant onl	23	0	42	0	0	0	0	0	0
Preliminary Conviction Review	2	0	0	0	0	0	0	0	0
Professional Counselor	1,302	1	120	0	22	8	0	908	0
Provisional Master Social Worker	544	0	32	1	4	1	0	98	227
Provisional Mental Health Practiti	1,629	0	166	8	24	21	0	608	1,319
Social Worker	642	1	78	0	50	9	0	1,057	0
Supervised Marriage & Family Th	0	0	5	0	0	0	0	16	0
Temporary Cert Marriage Family	0	0	0	0	0	0	0	0	0
Temporary Mental Health Practiti	0	0	0	0	0	0	0	0	0
Total	12,323	10	1,136	16	365	85	2	6,106	1,546

Expired-Military	Inactive	Lapsed	NonDisc Revocation	Null and Void	Pending	Reinstatement Pending	Revocation	Suspension	Voluntary Surrender	Withdrawn	Total
0	0	0	1	0	0	0	0	0	0	1	
0	0	0	0	0	0	0	0	0	0	2	
173	0	0	10	42	1	18	7	15	100	5,241	
36	1	16	1	1	0	0	0	1	17	336	
424	43	193	25	11	2	9	1	5	35	2,844	
24	0	12	16	1	0	0	0	0	11	205	
1,126	70	340	55	12	4	34	6	36	124	7,055	
0	0	0	0	11	0	0	0	0	1	77	
0	0	0	0	3	0	0	0	0	0	5	
542	65	262	46	24	2	19	6	20	64	3,411	
11	0	0	1,404	16	0	2	1	1	12	2,354	
54	1	0	5,576	37	2	19	8	9	64	9,545	
777	205	976	25	15	3	4	2	2	40	3,886	
0	0	0	51	0	0	0	1	0	2	75	
1	0	0	0	0	0	0	0	0	0	1	
1	0	0	0	0	0	0	0	0	0	1	
3,169	385	1,799	7,210	173	14	105	32	89	470	35,039	

Compliance Listing

Schrad, Ashley Kay	2468	Independent Mental Health Practitioner	Active	Civil Penalty	08/18/2025	08/18/2026
Schrad, Ashley Kay	5116	Mental Health Practitioner	Expired	Civil Penalty	08/18/2025	08/18/2026
Pasch, Brittany Michelle	P-2373	Provisional Alcohol and Drug Counselor	Active	Probation	10/14/2025	10/14/2026
Andersh, Karie Marie	2131	Independent Mental Health Practitioner	Suspension	Civil Penalty	11/19/2025	11/19/2026
Andersh, Karie Marie	2503	Professional Counselor	Suspension	Civil Penalty	11/19/2025	11/19/2026
Evans, Leontyne Lynnette	13016	Provisional Mental Health Practitioner	Suspension	Civil Penalty	11/26/2025	12/26/2026
Bhatti, Saira Imran	7738	Provisional Master Social Worker	Revocation	Civil Penalty	01/02/2025	01/02/2027
Bhatti, Saira Imran	13034	Provisional Mental Health Practitioner	Revocation	Civil Penalty	01/02/2025	01/02/2027
Leikam, Megan Ann	1399	Alcohol and Drug Counselor	Active	Civil Penalty	02/22/2024	02/22/2027
Hoyt, Erika Jacqueline	3450	Independent Mental Health Practitioner	Active	Civil Penalty	05/01/2025	05/01/2027
Hoyt, Erika Jacqueline	5518	Mental Health Practitioner	Expired	Civil Penalty	05/01/2025	05/01/2027
Toledo Francisquez, Fredy Jhovany	P-2309	Provisional Alcohol and Drug Counselor	Active	Civil Penalty	05/20/2026	05/20/2027
Fierro, Xavier Angel	7547	Provisional Master Social Worker	Suspension	Civil Penalty	06/08/2026	06/08/2027
Fierro, Xavier Angel	12343	Provisional Mental Health Practitioner	Suspension	Civil Penalty	06/08/2026	06/08/2027
Fierro, Xavier Angel	3170	Social Worker	Suspension	Civil Penalty	06/08/2026	06/08/2027
O'Brien, Leah K	2418	Independent Mental Health Practitioner	Active	Civil Penalty	06/12/2024	06/12/2027
O'Brien, Leah K	2595	Professional Counselor	Active	Civil Penalty	06/12/2024	06/12/2027
Hogan, Payton Jibri	2953	Independent Mental Health Practitioner	Active	Civil Penalty	02/25/2026	08/25/2027
Frerichs, Brandon J.	1567	Independent Mental Health Practitioner	Active	Civil Penalty	10/22/2025	10/22/2027
Frerichs, Brandon J.	2442	Professional Counselor	Expired	Civil Penalty	10/22/2025	10/22/2027
Toledo Francisquez, Fredy Jhovany	P-2309	Provisional Alcohol and Drug Counselor	Active	Probation	04/23/2025	10/23/2027
Conrad, Roy Carl	5944	Mental Health Practitioner	Revocation	Civil Penalty	12/31/2025	12/31/2027
Cross, Kate Kathleen LaRaine	1221	Independent Mental Health Practitioner	Revocation	Civil Penalty	01/07/2026	01/07/2028
Kercher, Julia Diane	1079	Independent Mental Health Practitioner	Suspension	Civil Penalty	05/01/2025	05/01/2028
Kercher, Julia Diane	2245	Mental Health Practitioner	Suspension	Civil Penalty	05/01/2025	05/01/2028
Kercher, Julia Diane	1253	Professional Counselor	Suspension	Civil Penalty	05/01/2025	05/01/2028
Connelly, James Donald	692	Independent Mental Health Practitioner	Active	Civil Penalty	05/28/2026	05/28/2028
Connelly, James Donald	3133	Mental Health Practitioner	Inactive	Civil Penalty	05/28/2026	05/28/2028
Connelly, James Donald	1627	Professional Counselor	Inactive	Civil Penalty	05/28/2026	05/28/2028
Lierz, Krista Lee	8307	Provisional Master Social Worker	Active	Probation	12/09/2025	12/09/2028
Lierz, Krista Lee	14704	Provisional Mental Health Practitioner	Active	Probation	12/09/2025	12/09/2028

EXAMINATION STATISTICS SUMMARY REPORT

Profession: Mental Health Practice

Date Range: 06/15/2026 to 07/28/2026

Exam Battery	Exam Name	Result	Number of Candidates
ASWB-Clinical	ASWB-Clinical (formerly AASSWB)	Pass	3
ASWB-Clinical total:			3
Jurisprudence Exam	Jurisprudence	Pass	5
Jurisprudence Exam total:			5
NBCC-NCE	NCE (NBCC)	Pass	4
		Fail	3
NBCC-NCE total:			7
NBCC-NCMHCE	NBCC-NCMHCE	Fail	1
NBCC-NCMHCE total:			1
Report total:			16

MANDATORY ASSURANCE STATEMENT for Mental and Behavioral Health Services Discretionary Funding

School districts and personnel providing mental or behavioral health services within Nebraska public schools shall comply with all applicable federal and state laws, regulations, and professional standards governing the provision of educational and related services to students. These laws include, but are not limited to the following sections of Neb. Rev. Stat:

- § 79-258. Administrative and teaching personnel; authorized actions.
- § 79-2,104. Access to school files or records; limitation; fees; disciplinary material; removed and destroyed; when; sharing of student data, records, and information.
- § 79-530. Involvement of parents, guardians, and educational decisionmakers; term, defined; legislative findings.
- § 79-531. Involvement of parents, guardians, and educational decisionmakers; public school district; adopt policy.
- § 79-532. Involvement of parents, guardians, and educational decisionmakers; policy; contents.
- § 79-533. Involvement of parents, guardians, and educational decisionmakers; policy; hearing; review.
- § 79-533.01. Involvement of parents, guardians, and educational decisionmakers; policy; accessibility.
- § 79-533.02. Involvement of parents, guardians, and educational decisionmakers; learning materials; availability.
- § 79-533.03. Involvement of parents, guardians, and educational decisionmakers; noncompliance of school district; remedial action.
- § 79-11,159. Behavioral health points of contact; designation; qualifications; behavioral health training and resources; access; coordination; report.

And, the following federal laws:

- Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.
- Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400–1482; 34 C.F.R. Part 300.

Individuals holding Nebraska educator certificates are subject to the professional practices criteria established by the State Board of Education under Rule 27 (Title 92, Nebraska Administrative Code, Chapter 27). Alleged violations of these standards shall be investigated and adjudicated pursuant to the procedures set forth in Rule 28 (Title 92, Nebraska Administrative Code, Chapter 28). If found to be in violation, sanctions shall include admonishment, reprimand, suspension, limitation, or revocation of a Nebraska teaching certificate.

When mental or behavioral health services are provided by individuals licensed under Nebraska health professions statutes, those individuals remain subject to the jurisdiction and disciplinary authority of the Nebraska Department of Health and Human Services (DHHS) under the Uniform Credentialing Act and applicable professional licensing statutes. Violations of licensure requirements, ethical standards, or scope of practice limitations may result in investigation and disciplinary action by the appropriate licensing authority. Any such violations shall be reported to DHHS by school personnel.

School districts retain responsibility for ensuring that all personnel providing services to students operate within the scope of their certification, licensure, and assigned professional responsibilities and all state statutes and federal laws on page one of this document. Districts must ensure that services are delivered in accordance with applicable legal requirements governing parental consent, confidentiality, procedural safeguards, and professional scope of practice. Failure of district personnel to comply with these requirements shall result in employment or disciplinary actions consistent with district policy and applicable law if found to be in violation.

Nothing in this document shall be construed to limit the rights of parents, students, employees, or other individuals to file complaints or seek remedies through administrative, regulatory, or judicial processes when violations of federal or state law are alleged.

As a condition of receiving funding from the Nebraska Department of Education (NDE) for school mental health and behavioral health services, the undersigned superintendent certifies that the district will comply with all applicable federal and state laws, regulations, and professional standards governing the provision of educational and related student services.

If the NDE determines that a district is not in compliance with applicable requirements related to this program, the district shall be required to implement corrective actions within a specified timeframe. Failure to resolve identified noncompliance shall result in termination of funding for school mental and behavioral health services.

(Signed by superintendent)