

1-1 By: Thompson of Harris, et al. H.B. No. 2954
 1-2 (Senate Sponsor - Powell)
 1-3 (In the Senate - Received from the House May 10, 2021;
 1-4 May 11, 2021, read first time and referred to Committee on
 1-5 Education; May 25, 2021, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 8, Nays 3;
 1-7 May 25, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Taylor	X			
1-10 Lucio	X			
1-11 Bettencourt		X		
1-12 Hall		X		
1-13 Hughes	X			
1-14 Menéndez	X			
1-15 Paxton	X			
1-16 Perry		X		
1-17 Powell	X			
1-18 Schwertner	X			
1-19 West	X			

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 2954 By: Powell

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to a suicide prevention, intervention, and postvention
 1-25 grant program for certain public elementary schools.
 1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-27 SECTION 1. Subchapter G, Chapter 38, Education Code, is
 1-28 amended by adding Section 38.3515 to read as follows:
 1-29 Sec. 38.3515. ELEMENTARY SCHOOL SUICIDE PREVENTION,
 1-30 INTERVENTION, AND POSTVENTION GRANT PROGRAM. (a) In this section:
 1-31 (1) "Commission" means the Health and Human Services
 1-32 Commission.
 1-33 (2) "Licensed mental health professional" includes:
 1-34 (A) a psychologist licensed to practice in this
 1-35 state and designated as a health-service provider;
 1-36 (B) a registered nurse with a master's or
 1-37 doctoral degree in psychiatric nursing;
 1-38 (C) an advanced practice registered nurse, as
 1-39 defined by Section 301.152, Occupations Code, who holds a
 1-40 nationally recognized board certification in psychiatric or mental
 1-41 health nursing;
 1-42 (D) a licensed clinical social worker, as defined
 1-43 by Section 505.002, Occupations Code;
 1-44 (E) a licensed professional counselor, as
 1-45 defined by Section 503.002, Occupations Code;
 1-46 (F) a licensed marriage and family therapist, as
 1-47 defined by Section 502.002, Occupations Code;
 1-48 (G) a licensed specialist in school psychology,
 1-49 as defined by Section 501.002, Occupations Code; and
 1-50 (H) a school counselor certified under
 1-51 Subchapter B, Chapter 21.
 1-52 (3) "Parent" means any person who is the natural or
 1-53 adoptive parent, managing or possessory conservator, legal
 1-54 guardian, custodian, or other person with legal authority to act on
 1-55 behalf of a child.
 1-56 (4) "Postvention" includes activities that promote
 1-57 healing necessary to reduce the risk of suicide by a person affected
 1-58 by the suicide of another.
 1-59 (b) The agency, in coordination with the commission, shall
 1-60 assist school districts and open-enrollment charter schools with

2-1 identifying evidence-based and developmentally appropriate
2-2 strategies and best practices in elementary schools that:
2-3 (1) increase protective factors and reduce risk
2-4 factors associated with social, emotional, and behavioral health
2-5 concerns and current and future suicidal ideations and behaviors;
2-6 (2) identify risk factors for emergent or future
2-7 suicide risk, as determined using factors identified by the
2-8 commission;
2-9 (3) address each area listed in Section 38.351(c); and
2-10 (4) include practices and procedures described by
2-11 Section 38.351(i) for suicide prevention, intervention, and
2-12 postvention.
2-13 (c) To the extent funds are appropriated to the agency for
2-14 that purpose, the agency shall establish a grant program under
2-15 which funds are awarded to school districts and open-enrollment
2-16 charter schools to develop and implement age-appropriate,
2-17 evidence-based strategies described by Subsection (i).
2-18 (d) A school district or open-enrollment charter school is
2-19 eligible to participate in the grant program established under this
2-20 section if the district or school or a campus of the district or
2-21 school has experienced suicide loss or a non-fatal suicide attempt
2-22 among elementary school students enrolled in the district or school
2-23 in the 2016-2017 school year or a subsequent school year.
2-24 (e) Before an eligible school district or open-enrollment
2-25 charter school may seek funds under the grant program, the
2-26 superintendent or chief executive officer of the district or school
2-27 shall provide, if applicable, notice to the parent of each student
2-28 enrolled in the district or school that an elementary school
2-29 student enrolled in the district or school has died. The notice:
2-30 (1) may not include the student's name or information
2-31 about the student's cause of death without express consent from the
2-32 student's parent; and
2-33 (2) must include information regarding school and
2-34 community resources to support students or community members who
2-35 may experience grief or trauma.
2-36 (f) Before an eligible school district or open-enrollment
2-37 charter school may seek funds under the grant program, the board of
2-38 trustees of the school district or governing body of the
2-39 open-enrollment charter school shall:
2-40 (1) hold a closed meeting to review eligibility
2-41 requirements under Subsection (d) and determine whether a campus is
2-42 eligible for the grant program;
2-43 (2) ensure any report, information, or record the
2-44 board or governing body receives under Subdivision (1) is:
2-45 (A) confidential; and
2-46 (B) not subject to disclosure under Chapter 552,
2-47 Government Code;
2-48 (3) post a notice of intent to seek funds through the
2-49 grant program on the district's or school's Internet website prior
2-50 to the public hearing under Subdivision (4) and provide a
2-51 reasonable time period for public comment; and
2-52 (4) conduct a public hearing to:
2-53 (A) notify the public of intent to seek funds
2-54 through the grant program;
2-55 (B) solicit public comment on the proposal; and
2-56 (C) approve by a record vote the decision of the
2-57 district or school to seek funds under the grant program.
2-58 (g) In awarding grants under this section, the agency may
2-59 prioritize for funding purposes school districts or
2-60 open-enrollment charter schools that:
2-61 (1) serve students residing in rural areas; or
2-62 (2) serve students in high needs districts.
2-63 (h) A school district or open-enrollment charter school
2-64 that is awarded funds through the grant program shall prioritize
2-65 campuses within the district or school based on the direct impact of
2-66 student suicides on the campuses.
2-67 (i) For each elementary school campus at which the school
2-68 district or open-enrollment charter school implements the grant
2-69 program, the district or school shall use funds awarded under the

3-1 program to support age-appropriate, evidence-based strategies in
3-2 elementary schools identified in Subsection (b) that:
3-3 (1) reduce current and future risk in students for
3-4 engaging in:
3-5 (A) suicidal ideations and behaviors; and
3-6 (B) behavior that poses a risk of harm to self or
3-7 others, including bullying and substance misuse;
3-8 (2) support early mental health intervention for
3-9 students with early warning signs of risk for suicide;
3-10 (3) foster resilience in students; and
3-11 (4) support the development of coping skills and
3-12 protective behavior in students to help them react positively to
3-13 changes and obstacles in life, including skills related to
3-14 responsible decision-making, managing emotions, and establishing
3-15 and maintaining positive relationships.
3-16 (j) A school district or open-enrollment charter school
3-17 awarded a grant under this section may:
3-18 (1) contract with a regional education service center
3-19 for services;
3-20 (2) enter into a memorandum of understanding with a
3-21 local mental health authority for services;
3-22 (3) contract with public and private community-based
3-23 mental health providers or nonprofit organizations for services in
3-24 support of evidence-based strategies described by Subsection (i);
3-25 and
3-26 (4) consult with the local school health advisory
3-27 council established under Section 28.004 in developing a plan to
3-28 provide age-appropriate, evidence-based strategies described by
3-29 Subsection (i).
3-30 (k) A school district or open-enrollment charter school
3-31 awarded a grant under this section shall:
3-32 (1) ensure that funds are used to support
3-33 age-appropriate, evidence-based strategies;
3-34 (2) ensure that informational materials distributed
3-35 by the district or school are age-appropriate and evidence-based
3-36 and distributed with prior written parental consent;
3-37 (3) ensure that strategies implemented under
3-38 Subsection (i) include working with licensed mental health
3-39 professionals and other school personnel who regularly interact
3-40 with students to prevent suicide among students enrolled at the
3-41 campus; and
3-42 (4) provide to a parent of each student enrolled at a
3-43 campus receiving funds from the grant program written or electronic
3-44 notice that includes:
3-45 (A) notification of the award of funds from the
3-46 grant program to the campus and information regarding strategies to
3-47 be implemented at the campus as described by Subsection (i);
3-48 (B) information to increase parental and
3-49 caregiver awareness regarding research-based protective factors
3-50 and risk factors associated with social, emotional, and behavioral
3-51 health concerns and current and future suicidal ideations and
3-52 behaviors among elementary school-aged children; and
3-53 (C) a list of available school and community
3-54 resources to support students or community members who may be at
3-55 risk of suicide.
3-56 (l) The agency:
3-57 (1) may use any available funds for the program,
3-58 including state, federal, or philanthropic funds;
3-59 (2) may accept donations for purposes of this section
3-60 from sources without a conflict of interest; and
3-61 (3) may not accept donations for purposes of this
3-62 section from an anonymous source.
3-63 (m) Nothing in this section is intended to interfere with
3-64 the rights of parents and the decision-making regarding the best
3-65 interest of the child. Practices and procedures developed in
3-66 accordance with this section are intended to notify a parent of a
3-67 need for suicide prevention, intervention, or postvention so that a
3-68 parent may take appropriate action.
3-69 (n) Nothing in this section may be construed to supersede or

4-1 otherwise interfere with the obligation of a school district
4-2 employee to obtain written parental consent required under Sections
4-3 26.009 and 38.010. Before providing an individual screening,
4-4 assessment, or intervention to any student in accordance with a
4-5 strategy implemented under the grant program established under this
4-6 section, a mental health professional is required to obtain
4-7 informed parental consent.

4-8 (o) Nothing in this section authorizes a school district or
4-9 open-enrollment charter school employee to recommend prescription
4-10 medication for a student or to interfere with medical decisions to
4-11 be made by the student's parent or guardian.

4-12 (p) The commissioner shall adopt rules to administer this
4-13 section.

4-14 (q) This section expires September 1, 2025.

4-15 SECTION 2. Not later than June 1, 2022, the Texas Education
4-16 Agency, in coordination with the Health and Human Services
4-17 Commission, shall develop the guidance for public schools required
4-18 under Section 38.3515(b), Education Code, as added by this Act.

4-19 SECTION 3. This Act applies beginning with the 2021-2022
4-20 school year.

4-21 SECTION 4. The Texas Education Agency is required to
4-22 implement a provision of this Act only if the legislature
4-23 appropriates money specifically for that purpose. If the
4-24 legislature does not appropriate money specifically for that
4-25 purpose, the Texas Education Agency may, but is not required to,
4-26 implement a provision of this Act using other appropriations
4-27 available for that purpose.

4-28 SECTION 5. This Act takes effect immediately if it receives
4-29 a vote of two-thirds of all the members elected to each house, as
4-30 provided by Section 39, Article III, Texas Constitution. If this
4-31 Act does not receive the vote necessary for immediate effect, this
4-32 Act takes effect September 1, 2021.

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