

1-1 By: West S.B. No. 1267
1-2 (In the Senate - Filed March 9, 2021; March 18, 2021, read
1-3 first time and referred to Committee on Education; April 19, 2021,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 11, Nays 0; April 19, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Taylor	X		
1-9	Lucio	X		
1-10	Bettencourt	X		
1-11	Hall	X		
1-12	Hughes	X		
1-13	Menéndez	X		
1-14	Paxton	X		
1-15	Perry	X		
1-16	Powell	X		
1-17	Schwertner	X		
1-18	West	X		

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 1267 By: West

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to continuing education and training requirements for
1-23 educators and other school district personnel.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 7.058, Education Code, is amended to
1-26 read as follows:

1-27 Sec. 7.058. RESEARCH ON MATHEMATICS SKILLS ACQUISITION AND
1-28 PROGRAM EFFECTIVENESS. From funds appropriated for the purpose,
1-29 the commissioner shall award to one or more institutions that have
1-30 demonstrated an ability to conduct science-based research on
1-31 effective instructional strategies that improve student
1-32 performance in mathematics a grant to be used to:

1-33 (1) develop and identify research on mathematics
1-34 skills acquisition and student learning in mathematics;

1-35 (2) monitor the effectiveness of mathematics
1-36 achievement academies [~~professional development institutes~~] under
1-37 Section 21.4553 [~~21.455~~] based on performance in mathematics by the
1-38 students of teachers who have attended an academy [~~institute~~];

1-39 (3) examine the effect of mathematics achievement
1-40 academies [~~professional development institutes~~] on the classroom
1-41 performance of teachers who have attended an academy [~~institute~~];

1-42 (4) identify common practices used at high-performing
1-43 school campuses that lead to improved student performance in
1-44 mathematics; and

1-45 (5) develop research on cognitive development in
1-46 children concerning mathematics skills development.

1-47 SECTION 2. Section 11.175, Education Code, is amended by
1-48 adding Subsection (g) to read as follows:

1-49 (g) Notwithstanding Section 2054.5191, Government Code,
1-50 only the district's cybersecurity coordinator is required to
1-51 complete the cybersecurity training under that section on an annual
1-52 basis. Any other school district employee required to complete the
1-53 cybersecurity training shall complete the training as determined by
1-54 the district, in consultation with the district's cybersecurity
1-55 coordinator.

1-56 SECTION 3. Sections 21.054(d), (e), and (f), Education
1-57 Code, are amended to read as follows:

1-58 (d) Continuing education requirements for a classroom
1-59 teacher must provide that not more than [~~at least~~] 25 percent of the
1-60 training required every five years include instruction regarding:

- 2-1 (1) collecting and analyzing information that will
 2-2 improve effectiveness in the classroom;
 2-3 (2) recognizing early warning indicators that a
 2-4 student may be at risk of dropping out of school;
 2-5 (3) digital learning, digital teaching, and
 2-6 integrating technology into classroom instruction;
 2-7 (4) educating diverse student populations, including:
 2-8 (A) ~~[students who are eligible to participate in~~
 2-9 ~~special education programs under Subchapter A, Chapter 29,~~
 2-10 ~~[(B) students who are eligible to receive~~
 2-11 ~~educational services required under Section 504, Rehabilitation~~
 2-12 ~~Act of 1973 (29 U.S.C. Section 794),~~
 2-13 ~~[(C)] students with mental health conditions or~~
 2-14 ~~who engage in substance abuse;~~
 2-15 (B) ~~[(D) students with intellectual or~~
 2-16 ~~developmental disabilities,~~
 2-17 ~~[(E)] students who are educationally~~
 2-18 ~~disadvantaged; and~~ (C) ~~[(F) students of limited English~~
 2-19 ~~proficiency; and~~
 2-20 ~~[(G)] students at risk of dropping out of school;~~
 2-21 ~~and~~
 2-22 (5) understanding appropriate relationships,
 2-23 boundaries, and communications between educators and students~~+~~
 2-24 ~~and~~
 2-25 ~~[(6) how mental health conditions, including grief and~~
 2-26 ~~trauma, affect student learning and behavior and how~~
 2-27 ~~evidence-based, grief-informed, and trauma-informed strategies~~
 2-28 ~~support the academic success of students affected by grief and~~
 2-29 ~~trauma].~~
 2-30 (e) Continuing education requirements for a principal must
 2-31 provide that not more than ~~[at least]~~ 25 percent of the training
 2-32 required every five years include instruction regarding:
 2-33 (1) effective and efficient management, including:
 2-34 (A) collecting and analyzing information;
 2-35 (B) making decisions and managing time; and
 2-36 (C) supervising student discipline and managing
 2-37 behavior;
 2-38 (2) recognizing early warning indicators that a
 2-39 student may be at risk of dropping out of school;
 2-40 (3) digital learning, digital teaching, and
 2-41 integrating technology into campus curriculum and instruction;
 2-42 (4) effective implementation of a comprehensive
 2-43 school counseling program under Section 33.005;
 2-44 (5) mental health programs addressing a mental health
 2-45 condition;
 2-46 (6) educating diverse student populations, including:
 2-47 (A) ~~[students who are eligible to participate in~~
 2-48 ~~special education programs under Subchapter A, Chapter 29,~~
 2-49 ~~[(B) students with intellectual or developmental~~
 2-50 ~~disabilities,~~
 2-51 ~~[(C) students who are eligible to receive~~
 2-52 ~~educational services required under Section 504, Rehabilitation~~
 2-53 ~~Act of 1973 (29 U.S.C. Section 794),~~
 2-54 ~~[(D)] students with mental health conditions or~~
 2-55 ~~who engage in substance abuse;~~
 2-56 (B) ~~[(E)] students who are educationally~~
 2-57 ~~disadvantaged;~~ (C) ~~[(F)] students of limited English~~
 2-58 ~~proficiency; and~~
 2-59 (D) ~~[(G)] students at risk of dropping out of~~
 2-60 ~~school; and~~
 2-61 (7) preventing, recognizing, and reporting any sexual
 2-62 conduct between an educator and student that is prohibited under
 2-63 Section 21.12, Penal Code, or for which reporting is required under
 2-64 Section 21.006 of this code~~+, and~~
 2-65 ~~[(8) how mental health conditions, including grief and~~
 2-66 ~~trauma, affect student learning and behavior and how~~
 2-67 ~~evidence-based, grief-informed, and trauma-informed strategies~~
 2-68
 2-69

3-1 ~~support the academic success of students affected by grief and~~
3-2 ~~trauma].~~

3-3 (f) Continuing education requirements for a counselor must
3-4 provide that not more than [at least] 25 percent of training
3-5 required every five years include instruction regarding:

3-6 (1) assisting students in developing high school
3-7 graduation plans;

3-8 (2) implementing dropout prevention strategies; and

3-9 (3) ~~[informing students concerning:~~

3-10 ~~[(A) college admissions, including college~~
3-11 ~~financial aid resources and application procedures; and~~

3-12 ~~[(B) career opportunities;~~

3-13 ~~[(4) counseling students concerning mental health~~
3-14 ~~conditions and substance abuse, including through the use of~~
3-15 ~~grief-informed and trauma-informed interventions and crisis~~
3-16 ~~management and suicide prevention strategies; and~~

3-17 ~~[(5)] effective implementation of a comprehensive~~
3-18 ~~school counseling program under Section 33.005.~~

3-19 SECTION 4. Sections 21.451(d), (d-1), and (d-3), Education
3-20 Code, are amended to read as follows:

3-21 (d) The staff development:

3-22 (1) may include training in:

3-23 (A) technology and digital learning; and

3-24 (B) positive behavior intervention and support
3-25 strategies, including classroom management, district discipline
3-26 policies, and the student code of conduct adopted under Chapter 37;

3-27 ~~[and~~

3-28 ~~[(C) digital learning;]~~

3-29 (2) subject to Subsection (e) and to Section 21.3541
3-30 and rules adopted under that section, must include training that is
3-31 evidence-based, as defined by Section 8101, Every Student Succeeds
3-32 Act (20 U.S.C. Section 7801), and that:

3-33 (A) relates to instruction of students with
3-34 disabilities, including students with disabilities who also have
3-35 other intellectual or mental health conditions; and

3-36 (B) is designed for educators who work primarily
3-37 outside the area of special education; and

3-38 (3) must include training on:

3-39 (A) suicide prevention;

3-40 (B) ~~[recognizing signs of mental health~~
3-41 ~~conditions and substance abuse;~~

3-42 ~~[(C)] strategies for establishing and~~
3-43 ~~maintaining positive relationships among students, including~~
3-44 ~~conflict resolution;~~

3-45 ~~[(D) how grief and trauma affect student learning~~
3-46 ~~and behavior and how evidence-based, grief-informed, and~~
3-47 ~~trauma-informed strategies support the academic success of~~
3-48 ~~students affected by grief and trauma;]~~ and

3-49 (C) [(E)] preventing, identifying, responding
3-50 to, and reporting incidents of bullying.

3-51 (d-1) The training required by Subsection (d)(3):

3-52 (1) must:

3-53 (A) be provided in accordance with the policy
3-54 adopted under Section 21.4515; [+

3-55 ~~[(i) on an annual basis, as part of a new~~
3-56 ~~employee orientation, to all new school district and~~
3-57 ~~open-enrollment charter school educators; and~~

3-58 ~~[(ii) to existing school district and~~
3-59 ~~open-enrollment charter school educators on a schedule adopted by~~
3-60 ~~the agency by rule;]~~ and

3-61 (B) use a best practice-based program
3-62 recommended by the Health and Human Services Commission in
3-63 coordination with the agency under Section 38.351; and

3-64 (2) may include two or more listed topics together.

3-65 (d-3) The technology and digital learning training provided
3-66 by Subsection (d)(1)(A) [(d)(1)(E)] must:

3-67 (1) discuss basic technology proficiency expectations
3-68 and methods to increase an educator's digital literacy; and

3-69 (2) assist an educator in the use of digital

4-1 technology in learning activities that improve teaching,
4-2 assessment, and instructional practices.

4-3 SECTION 5. Subchapter J, Chapter 21, Education Code, is
4-4 amended by adding Sections 21.4514 and 21.4515 to read as follows:

4-5 Sec. 21.4514. CONTINUING EDUCATION AND TRAINING
4-6 CLEARINGHOUSE; ADVISORY GROUP. (a) In this section:

4-7 (1) "Board" means the State Board for Educator
4-8 Certification.

4-9 (2) "Clearinghouse advisory group" means the
4-10 clearinghouse advisory group established under Subsection (d).

4-11 (b) The board shall publish a comprehensive clearinghouse
4-12 of information regarding continuing education and training
4-13 requirements for:

4-14 (1) educators; and

4-15 (2) other school personnel.

4-16 (c) The clearinghouse must:

4-17 (1) include best practices and industry
4-18 recommendations for the frequency for training of educators and
4-19 other school personnel; and

4-20 (2) be published in consultation with the
4-21 clearinghouse advisory group.

4-22 (d) The board shall establish a clearinghouse advisory
4-23 group consisting of educators, including classroom teachers, and
4-24 representatives of organizations that represent educators to
4-25 review and provide input regarding the best practices and industry
4-26 recommendations included in the clearinghouse. In publishing the
4-27 clearinghouse, the board shall ensure the clearinghouse reflects
4-28 input provided by the clearinghouse advisory group.

4-29 (e) Not later than December 1 of each even-numbered year,
4-30 the clearinghouse advisory group shall complete a review of the
4-31 clearinghouse and submit a report to the legislature of the group's
4-32 recommendations regarding whether any required continuing
4-33 education or training may be reduced, eliminated, or consolidated
4-34 with other existing continuing education or training.

4-35 Sec. 21.4515. ANNUAL ADOPTION OF PROFESSIONAL DEVELOPMENT
4-36 POLICY. (a) The board of trustees of a school district and the
4-37 governing body of an open-enrollment charter school, to the extent
4-38 applicable, shall annually review the clearinghouse published
4-39 under Section 21.4514 and adopt a professional development policy
4-40 that must:

4-41 (1) be guided by the recommendations for training in
4-42 the clearinghouse;

4-43 (2) note any differences in the policy adopted by the
4-44 district or school from the recommendations in the clearinghouse;
4-45 and

4-46 (3) include a schedule of all training required for
4-47 educators or other school personnel at the district or school.

4-48 (b) To the extent of any conflict, a frequency requirement
4-49 for the completion of training provided by statute prevails over a
4-50 frequency requirement for that training included in the policy
4-51 adopted by the board of trustees of a school district or the
4-52 governing body of an open-enrollment charter school under
4-53 Subsection (a).

4-54 (c) The commissioner may not adopt rules regarding a
4-55 required frequency for the completion of training unless:

4-56 (1) a frequency is provided by statute for that
4-57 training; and

4-58 (2) the commissioner is granted explicit rulemaking
4-59 authority related to that training.

4-60 SECTION 6. Section 21.4552, Education Code, is amended by
4-61 amending Subsections (a), (b), and (c) and adding Subsection (b-1)
4-62 to read as follows:

4-63 (a) The commissioner shall develop and make available
4-64 literacy achievement academies for teachers who provide reading
4-65 instruction to students at any grade level [~~at the kindergarten or~~
4-66 ~~first, second, or third grade level~~].

4-67 (b) A literacy achievement academy developed under this
4-68 section:

4-69 (1) for teachers who provide reading instruction to

5-1 students at the kindergarten or first, second, or third grade
5-2 level:

5-3 (A) [~~(1)~~] must include training in:
5-4 (i) [~~(A)~~] effective and systematic
5-5 instructional practices in reading, including phonemic awareness,
5-6 phonics, fluency, vocabulary, and comprehension; and
5-7 (ii) [~~(B)~~] the use of empirically validated
5-8 instructional methods that are appropriate for struggling readers;
5-9 and

5-10 (B) [~~(2)~~] may include training in effective
5-11 instructional practices in writing;

5-12 (2) for teachers who provide reading instruction to
5-13 students at the fourth or fifth grade level:

5-14 (A) must include effective instructional
5-15 practices that promote student development of reading
5-16 comprehension and inferential and critical thinking;

5-17 (B) must provide training in the use of
5-18 empirically validated instructional methods that are appropriate
5-19 for struggling readers; and

5-20 (C) may include material on writing instruction;

5-21 (3) for teachers who provide reading instruction to
5-22 students at the seventh or eighth grade level, must include
5-23 training in:

5-24 (A) administration of the reading instrument
5-25 required by Section 28.006(c-1); and

5-26 (B) interpretation of the results of the reading
5-27 instrument required by Section 28.006(c-1) and strategies, based on
5-28 scientific research regarding effective reading instruction, for
5-29 long-term intensive intervention to target identified student
5-30 needs in word recognition, vocabulary, fluency, and comprehension;

5-31 (4) for teachers who provide reading instruction to
5-32 students at the sixth, seventh, or eighth grade level, must include
5-33 training in:

5-34 (A) strategies to be implemented in English
5-35 language arts and other subject areas for multisyllable word
5-36 reading, vocabulary development, and comprehension of expository
5-37 and narrative text;

5-38 (B) an adaptation framework that enables
5-39 teachers to respond to differing student strengths and needs,
5-40 including adaptations for students of limited English proficiency
5-41 or students receiving special education services under Subchapter
5-42 A, Chapter 29;

5-43 (C) collaborative strategies to increase active
5-44 student involvement and motivation to read; and

5-45 (D) other areas identified by the commissioner as
5-46 essential components of reading instruction; and

5-47 (5) for teachers who provide instruction in
5-48 mathematics, science, or social studies to students at the sixth,
5-49 seventh, or eighth grade level, must include training in:

5-50 (A) strategies for incorporating reading
5-51 instruction into the curriculum for the subject area taught by the
5-52 teacher; and

5-53 (B) other areas identified by the commissioner.

5-54 (b-1) The completion of a literacy achievement academy
5-55 under this section by an educator who teaches students with
5-56 dyslexia satisfies:

5-57 (1) the training requirement under Section 21.054(b);
5-58 and

5-59 (2) a training requirement adopted by the State Board
5-60 of Education pursuant to Section 38.003 related to the screening or
5-61 treatment of a student for dyslexia or a related disorder.

5-62 (c) The commissioner shall adopt criteria for selecting
5-63 teachers who may attend a literacy achievement academy. In adopting
5-64 selection criteria under this subsection, the commissioner shall:

5-65 (1) require a teacher to attend a literacy achievement
5-66 academy if the teacher provides instruction in reading,
5-67 mathematics, science, or social studies to students at the sixth,
5-68 seventh, or eighth grade level at a campus that fails to satisfy any
5-69 standard under Section 39.054(e) on the basis of student

6-1 performance on the reading assessment instrument administered
6-2 under Section 39.023(a) to students in any grade level at the
6-3 campus;

6-4 (2) grant [~~granting a~~] priority to teachers employed
6-5 by a school district at a campus at which 50 percent or more of the
6-6 students enrolled are educationally disadvantaged; and

6-7 (3) [~~(2)~~] provide a process through which a teacher
6-8 not employed at a campus described by Subdivision (2) [~~(1)~~] may
6-9 attend the academy if the academy has available space and the school
6-10 district employing the teacher pays the costs of the teacher's
6-11 attendance.

6-12 SECTION 7. Sections 21.4553(a) and (b), Education Code, are
6-13 amended to read as follows:

6-14 (a) The commissioner shall develop and make available
6-15 mathematics achievement academies for teachers who provide
6-16 mathematics instruction to students at any grade level [~~the~~
6-17 ~~kindergarten or first, second, or third grade level~~].

6-18 (b) A mathematics achievement academy developed under this
6-19 section must, if appropriate for the grade level at which the
6-20 teacher provides instruction, include training in:

6-21 (1) effective and systematic instructional practices
6-22 in mathematics, including problem solving, the place value system,
6-23 whole number operations, and fractions;

6-24 (2) the underlying mathematical skills required to be
6-25 taught; and

6-26 (3) mathematical instruction techniques that, through
6-27 scientific testing, have been proven effective.

6-28 SECTION 8. Subchapter J, Chapter 21, Education Code, is
6-29 amended by adding Section 21.4571 to read as follows:

6-30 Sec. 21.4571. TEXAS ENGLISH LANGUAGE PROFICIENCY

6-31 ASSESSMENT SYSTEM TRAINING. (a) The commissioner may not require a
6-32 school district employee to repeat training or online calibration
6-33 activities the employee has previously successfully completed
6-34 related to administering the Texas English Language Proficiency
6-35 Assessment System, except that the commissioner may require the
6-36 employee to complete training or online calibration activities if
6-37 the administration of or assessment using the Texas English
6-38 Language Proficiency Assessment System has changed significantly
6-39 since the employee completed the training.

6-40 (b) The school district employee assigned to oversee the
6-41 administration of the Texas English Language Proficiency
6-42 Assessment System at a district campus may, with discretion,
6-43 require other district employees involved in administering the
6-44 Texas English Language Proficiency Assessment System to complete
6-45 training or online calibration activities described by Subsection
6-46 (a).

6-47 (c) A school district employee may not be required to
6-48 complete a training or online calibration activity described by
6-49 Subsection (a) in one sitting.

6-50 SECTION 9. Sections 21.458(b) and (b-1), Education Code,
6-51 are amended to read as follows:

6-52 (b) The commissioner shall adopt rules necessary to
6-53 administer this section, including rules concerning the duties and
6-54 qualifications of a teacher who serves as a mentor and the number of
6-55 classroom teachers that may be assigned to a mentor. The rules
6-56 concerning qualifications must require that to serve as a mentor a
6-57 teacher must:

6-58 (1) complete a research-based mentor and induction
6-59 training program approved by the commissioner;

6-60 (2) complete a mentor training program provided by the
6-61 district, which the district may allow to be satisfied by
6-62 completing the training program described by Subdivision (1);

6-63 (3) have at least three complete years of teaching
6-64 experience with a superior record of assisting students, as a
6-65 whole, in achieving improvement in student performance; and

6-66 (4) demonstrate interpersonal skills, instructional
6-67 effectiveness, and leadership skills.

6-68 (b-1) A school district must provide training as described
6-69 by Subsection (b)(2) to mentor teachers and any appropriate

7-1 district and campus employees who work with the classroom teacher
 7-2 or supervise the classroom teacher. A district may allow a training
 7-3 program approved by the commissioner under Subsection (b)(1) to
 7-4 qualify for the training required by this section. The training
 7-5 must be completed by the mentor teacher and the district and campus
 7-6 employees before the beginning of the school year. The district
 7-7 shall also provide supplemental training to mentor teachers and
 7-8 employees during the school year. The training must include
 7-9 content related to best mentorship practices.

7-10 SECTION 10. Section 22.902(a), Education Code, is amended
 7-11 to read as follows:

7-12 (a) A school district shall, in accordance with the policy
 7-13 adopted under Section 21.4515, [annually] make available to
 7-14 district employees and volunteers instruction in the principles and
 7-15 techniques of cardiopulmonary resuscitation and the use of an
 7-16 automated external defibrillator, as defined by Section 779.001,
 7-17 Health and Safety Code.

7-18 SECTION 11. Section 28.006(g-1), Education Code, is amended
 7-19 to read as follows:

7-20 (g-1) A school district shall provide additional reading
 7-21 instruction and intervention to each student in seventh grade
 7-22 assessed under Subsection (c-1), as appropriate to improve the
 7-23 student's reading skills in the relevant areas identified through
 7-24 the assessment instrument. Training and support for activities
 7-25 required by this subsection shall be provided by regional education
 7-26 service centers and teacher literacy achievement [reading]
 7-27 academies established under Section 21.4552 [~~21.4551~~], and may be
 7-28 provided by other public and private providers.

7-29 SECTION 12. Section 28.0062(a), Education Code, is amended
 7-30 to read as follows:

7-31 (a) Each school district and open-enrollment charter school
 7-32 shall:

7-33 (1) provide for the use of a phonics curriculum that
 7-34 uses systematic direct instruction in kindergarten through third
 7-35 grade to ensure all students obtain necessary early literacy
 7-36 skills;

7-37 (2) ensure that:

7-38 (A) not later than the 2022-2023 [~~2021-2022~~]
 7-39 school year, each classroom teacher in kindergarten or first,
 7-40 second, or third grade and each principal at a campus with
 7-41 kindergarten or first, second, or third grade has attended a
 7-42 teacher literacy achievement academy developed under Section
 7-43 21.4552; and

7-44 (B) each classroom teacher and each principal
 7-45 initially employed in a grade level or at a campus described by
 7-46 Paragraph (A) for the 2022-2023 [~~2021-2022~~] school year or a
 7-47 subsequent school year has attended a teacher literacy achievement
 7-48 academy developed under Section 21.4552 before the teacher's or
 7-49 principal's first year of placement in that grade level or campus;
 7-50 and

7-51 (3) certify to the agency that the district or school:

7-52 (A) prioritizes placement of highly effective
 7-53 teachers in kindergarten through second grade; and

7-54 (B) has integrated reading instruments used to
 7-55 diagnose reading development and comprehension to support each
 7-56 student in prekindergarten through third grade.

7-57 SECTION 13. Section 29.063, Education Code, is amended by
 7-58 adding Subsection (e) to read as follows:

7-59 (e) The agency may not require members of a language
 7-60 proficiency assessment committee to complete training to serve on
 7-61 that committee.

7-62 SECTION 14. Section 33.086(b), Education Code, is amended
 7-63 to read as follows:

7-64 (b) Each school district shall adopt, in accordance with the
 7-65 policy adopted under Section 21.4515, procedures necessary for
 7-66 administering this section, including procedures for the time and
 7-67 manner in which proof of current certification must be submitted.

7-68 SECTION 15. Sections 33.202(b) and (c), Education Code, are
 7-69 amended to read as follows:

8-1 (b) The following persons must satisfactorily complete the
8-2 safety training program in accordance with the policy adopted under
8-3 Section 21.4515:

8-4 (1) a coach, trainer, or sponsor for an
8-5 extracurricular athletic activity; and

8-6 (2) ~~[except as provided by Subsection (f), a physician~~
8-7 ~~who is employed by a school or school district or who volunteers to~~
8-8 ~~assist with an extracurricular athletic activity; and~~

8-9 [~~3~~] a director responsible for a school marching
8-10 band.

8-11 (c) The safety training program must include:

8-12 (1) certification of participants by the American Red
8-13 Cross, the American Heart Association, or a similar organization or
8-14 by the University Interscholastic League;

8-15 (2) current training in:

8-16 (A) emergency action planning;

8-17 (B) ~~[cardiopulmonary resuscitation if the person~~
8-18 ~~is not required to obtain certification under Section 33.086;~~

8-19 [~~C~~] communicating effectively with 9-1-1
8-20 emergency service operators and other emergency personnel; and

8-21 (C) [~~D~~] recognizing symptoms of potentially
8-22 catastrophic injuries, including head and neck injuries,
8-23 concussions, injuries related to second impact syndrome, asthma
8-24 attacks, heatstroke, cardiac arrest, and injuries requiring use of
8-25 a defibrillator; and

8-26 (3) ~~[at least once each school year,]~~ a safety drill
8-27 that incorporates the training described by Subdivision (2) and
8-28 simulates various injuries described by Subdivision (2)(C)
8-29 [~~2~~](D)].

8-30 SECTION 16. Section 37.0831(b), Education Code, is amended
8-31 to read as follows:

8-32 (b) A dating violence policy must:

8-33 (1) include a definition of dating violence that
8-34 includes the intentional use of physical, sexual, verbal, or
8-35 emotional abuse by a person to harm, threaten, intimidate, or
8-36 control another person in a dating relationship, as defined by
8-37 Section 71.0021, Family Code; and

8-38 (2) address safety planning, enforcement of
8-39 protective orders, school-based alternatives to protective orders,
8-40 training for teachers and administrators at each district campus
8-41 that instructs students in grade six or higher, counseling for
8-42 affected students, and awareness education for students and
8-43 parents.

8-44 SECTION 17. Sections 38.0041(c) and (d), Education Code,
8-45 are amended to read as follows:

8-46 (c) The methods under Subsection (b)(1) for increasing
8-47 awareness of issues regarding sexual abuse, sex trafficking, and
8-48 other maltreatment of children must include training, as provided
8-49 by this subsection, concerning prevention techniques for and
8-50 recognition of sexual abuse, sex trafficking, and all other
8-51 maltreatment of children, including the sexual abuse, sex
8-52 trafficking, and other maltreatment of children with significant
8-53 cognitive disabilities. The training:

8-54 (1) must be provided in accordance with the policy
8-55 adopted under Section 21.4515~~[, as part of a new employee~~
8-56 ~~orientation, to all new school district and open-enrollment charter~~
8-57 ~~school employees and to existing district and open-enrollment~~
8-58 ~~charter school employees on a schedule adopted by the agency by rule~~
8-59 ~~until all district and open-enrollment charter school employees~~
8-60 ~~have taken the training]; and~~

8-61 (2) must include training concerning:

8-62 (A) factors indicating a child is at risk for
8-63 sexual abuse, sex trafficking, or other maltreatment;

8-64 (B) likely warning signs indicating a child may
8-65 be a victim of sexual abuse, sex trafficking, or other
8-66 maltreatment;

8-67 (C) internal procedures for seeking assistance
8-68 for a child who is at risk for sexual abuse, sex trafficking, or
8-69 other maltreatment, including referral to a school counselor, a

9-1 social worker, or another mental health professional;
 9-2 (D) techniques for reducing a child's risk of
 9-3 sexual abuse, sex trafficking, or other maltreatment; and
 9-4 (E) community organizations that have relevant
 9-5 existing research-based programs that are able to provide training
 9-6 or other education for school district or open-enrollment charter
 9-7 school staff members, students, and parents.

9-8 (d) For any training under Subsection (c), each school
 9-9 district and open-enrollment charter school shall maintain records
 9-10 that include the ~~[name of each]~~ district or charter school staff
 9-11 members [member] who participated in the training.

9-12 SECTION 18. Section 38.030(g), Education Code, is amended
 9-13 to read as follows:

9-14 (g) The course of instruction for training described under
 9-15 Subsection (f) may ~~[not]~~ be provided as an online course. The
 9-16 course of instruction must use nationally recognized,
 9-17 evidence-based guidelines for bleeding control and must
 9-18 incorporate instruction on the psychomotor skills necessary to use
 9-19 a bleeding control station in the event of an injury to another
 9-20 person, including instruction on proper chest seal placement.

9-21 SECTION 19. Section 38.036, Education Code, is amended by
 9-22 amending Subsections (c) and (d) and adding Subsection (c-1) to
 9-23 read as follows:

9-24 (c) The methods under Subsection (b)(1) for increasing
 9-25 awareness and implementation of trauma-informed care must include
 9-26 training as provided by this subsection. The training must:

9-27 (1) be provided:

9-28 (A) ~~[(1)]~~ through a program selected from the
 9-29 list of recommended best practice-based programs and
 9-30 research-based practices established under Section 38.351
 9-31 ~~[161.325, Health and Safety Code]; and~~

9-32 (B) in accordance with the policy adopted under
 9-33 Section 21.4515 [(2) as part of any new employee orientation for all
 9-34 new school district educators]; and

9-35 (2) address how grief and trauma affect student
 9-36 learning and behavior and how evidence-based, grief-informed, and
 9-37 trauma-informed strategies support the academic success of
 9-38 students affected by grief and trauma

9-39 ~~[(3) to existing school district educators on a~~
 9-40 ~~schedule adopted by the agency by rule that requires educators to be~~
 9-41 ~~trained at intervals necessary to keep educators informed of~~
 9-42 ~~developments in the field].~~

9-43 (c-1) The training under Subsection (c) may include two or
 9-44 more listed topics together.

9-45 (d) For any training under Subsection (c), each school
 9-46 district shall maintain records that include the ~~[name of each]~~
 9-47 district staff members ~~[member]~~ who participated in the training.

9-48 SECTION 20. Section 38.210(b), Education Code, is amended
 9-49 to read as follows:

9-50 (b) Training required under this section must:

9-51 (1) include information on:

9-52 (A) recognizing the signs and symptoms of
 9-53 anaphylaxis;

9-54 (B) administering an epinephrine auto-injector;

9-55 (C) implementing emergency procedures, if
 9-56 necessary, after administering an epinephrine auto-injector; and

9-57 (D) properly disposing of used or expired
 9-58 epinephrine auto-injectors; ~~[and]~~

9-59 (2) be provided in a formal training session or
 9-60 through online education; and

9-61 (3) be provided in accordance with the policy adopted
 9-62 under Section 21.4515 [and be completed annually].

9-63 SECTION 21. Section 38.351(h), Education Code, is amended
 9-64 to read as follows:

9-65 (h) If a school district provides the training under
 9-66 Subsection (g), the school district shall:

9-67 (1) require completion of the training in accordance
 9-68 with the policy adopted under Section 21.4515 [a school district
 9-69 employee described under that subsection must participate in the

10-1 ~~training at least one time]; and~~

10-2 (2) ~~[the school district shall]~~ maintain records that
10-3 include the ~~[name of each]~~ district employees ~~[employee]~~ who
10-4 participated in the training.

10-5 SECTION 22. Section 39.0304, Education Code, is amended by
10-6 amending Subsection (a) and adding Subsections (b-1) and (b-2) to
10-7 read as follows:

10-8 (a) To ensure that each administration of assessment
10-9 instruments under Section 39.023 is valid, reliable, and in
10-10 compliance with the requirements of this subchapter, the
10-11 commissioner may require training for school district employees
10-12 involved in the administration of the assessment instruments,
10-13 subject to Subsection (b-1).

10-14 (b-1) The commissioner may only require the employee at each
10-15 district campus who oversees the administration of the assessment
10-16 instruments to annually receive the training required under
10-17 Subsection (a).

10-18 (b-2) The school district employee who oversees test
10-19 administration on a district campus may, with discretion, require
10-20 other district employees involved in the administration of
10-21 assessment instruments to repeat the training under Subsection (a).

10-22 SECTION 23. Section 39.408, Education Code, is amended to
10-23 read as follows:

10-24 Sec. 39.408. ELIGIBILITY CRITERIA FOR CERTAIN GRANT
10-25 PROGRAMS. A school district or campus is eligible to participate in
10-26 programs under Sections ~~[21.4541]~~ 29.095~~[7]~~ and 29.096 if the
10-27 district or campus exhibited during each of the three preceding
10-28 school years characteristics that strongly correlate with high
10-29 dropout rates.

10-30 SECTION 24. The following provisions of the Education Code
10-31 are repealed:

10-32 (1) Section 21.054(d-2), as amended by Chapter 464
10-33 (S.B. 11) and Chapter 352 (H.B. 18), Acts of the 86th Legislature,
10-34 Regular Session, 2019;

10-35 (2) Section 21.054(e-2);

10-36 (3) Section 21.454;

10-37 (4) Section 21.4541;

10-38 (5) Section 21.455;

10-39 (6) Section 21.4551;

10-40 (7) Section 21.4554;

10-41 (8) Section 28.013(d);

10-42 (9) Sections 33.202(d), (e), and (f);

10-43 (10) Section 34.0021; and

10-44 (11) Section 38.036(e).

10-45 SECTION 25. To the extent of any conflict, this Act prevails
10-46 over another Act of the 87th Legislature, Regular Session, 2021,
10-47 relating to nonsubstantive additions to and corrections in enacted
10-48 codes.

10-49 SECTION 26. (a) Not later than June 1, 2022, the State
10-50 Board for Educator Certification shall publish the continuing
10-51 education and training clearinghouse required by Section 21.4514,
10-52 Education Code, as added by this Act.

10-53 (b) Not later than August 1, 2022, each school district
10-54 shall adopt a professional development policy for district
10-55 personnel in accordance with Section 21.4515, Education Code, as
10-56 added by this Act.

10-57 (c) Except as provided by Subsection (b) of this section,
10-58 this Act applies beginning with the 2021-2022 school year.

10-59 SECTION 27. The Texas Education Agency is required to
10-60 implement a provision of this Act only if the legislature
10-61 appropriates money specifically for that purpose. If the
10-62 legislature does not appropriate money specifically for that
10-63 purpose, the Texas Education Agency may, but is not required to,
10-64 implement a provision of this Act using other appropriations
10-65 available for that purpose.

10-66 SECTION 28. This Act takes effect immediately if it
10-67 receives a vote of two-thirds of all the members elected to each
10-68 house, as provided by Section 39, Article III, Texas Constitution.
10-69 If this Act does not receive the vote necessary for immediate

11-1 effect, this Act takes effect September 1, 2021.

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