

By: Raney

H.B. No. 3992

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the identification of certain student behavior by a  
3 school district's threat assessment and safe and supportive school  
4 team.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Sections 37.115(a), (b), and (f), Education  
7 Code, are amended to read as follows:

8 (a) In this section:

9 (1) "Early behavior" includes behaviors, such as a  
10 change in attendance, academic performance, or emotional response,  
11 the exhibition of withdrawn behavior or early signs of self-harm,  
12 problematic peer interaction, or a discipline concern, by a student  
13 that could result in or benefit from:

14 (A) specific interventions, including mental  
15 health or behavioral supports;

16 (B) academic support;

17 (C) a conference with the student's parent or  
18 person standing in parental relation to the student;

19 (D) a discipline referral; or

20 (E) another restorative practice.

21 (2) [~~1~~] "Harmful, threatening, or violent behavior"  
22 includes behaviors, such as verbal threats, threats of self harm,  
23 bullying, cyberbullying, fighting, the use or possession of a  
24 weapon, sexual assault, sexual harassment, dating violence,

1 stalking, or assault, by a student that could result in:

2 (A) specific interventions, including mental  
3 health or behavioral supports;

4 (B) in-school suspension;

5 (C) out-of-school suspension; or

6 (D) the student's expulsion or removal to a  
7 disciplinary alternative education program or a juvenile justice  
8 alternative education program.

9 (3) [~~(2)~~] "Team" means a threat assessment and safe  
10 and supportive school team established by the board of trustees of a  
11 school district under this section.

12 (b) The agency, in coordination with the Texas School Safety  
13 Center, shall adopt rules to establish a safe and supportive school  
14 program. The rules shall incorporate research-based best practices  
15 for school safety, including providing for:

16 (1) physical and psychological safety;

17 (2) a multiphase and multihazard approach to  
18 prevention, mitigation, preparedness, response, and recovery in a  
19 crisis situation;

20 (3) a systemic and coordinated multitiered support  
21 system that addresses school climate, the social and emotional  
22 domain, and behavioral and mental health; [~~and~~]

23 (4) multidisciplinary and multiagency collaboration  
24 to assess risks and threats in schools and provide appropriate  
25 interventions, including rules for the establishment and operation  
26 of teams; and

27 (5) a uniform method of identifying and collecting

1 data regarding early behavior of a student that may require  
2 intervention.

3 (f) Each team shall:

4 (1) conduct a threat assessment that includes:

5 (A) assessing and reporting individuals who make  
6 threats of violence or exhibit harmful, threatening, or violent  
7 behavior in accordance with the policies and procedures adopted  
8 under Subsection (c); and

9 (B) gathering and analyzing data, including data  
10 regarding the early behavior of a student, to determine the level of  
11 risk and appropriate intervention, including:

12 (i) referring a student for mental health  
13 assessment; and

14 (ii) implementing an escalation procedure,  
15 if appropriate based on the team's assessment, in accordance with  
16 district policy;

17 (2) provide guidance to students and school employees  
18 on recognizing harmful, threatening, or violent behavior that may  
19 pose a threat to the community, school, or individual; and

20 (3) support the district in implementing the  
21 district's multihazard emergency operations plan.

22 SECTION 2. This Act applies beginning with the 2023-2024  
23 school year.

24 SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2023.