

By: Smithee

H.B. No. 5107

A BILL TO BE ENTITLED

1 AN ACT
2 relating to local school health advisory councils and health
3 education provided by public schools.

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

5 SECTION 1. Section 28.004(c), Education Code, is amended to
6 read as follows:

7 (c) The local school health advisory council's duties
8 include recommending:

9 (1) the number of hours of instruction to be provided
10 in:

11 (A) health education in kindergarten through
12 grade eight; and

13 (B) if the school district requires health
14 education for high school graduation, health education, including
15 physical health education and mental health education, in grades 9
16 through 12;

17 (2) policies, procedures, strategies, and curriculum
18 appropriate for specific grade levels designed to prevent physical
19 health concerns, including obesity, cardiovascular disease, Type 2
20 diabetes, and mental health concerns, including suicide, through
21 coordination of:

22 (A) health education, which must address
23 physical health concerns and mental health concerns to ensure the
24 integration of physical health education and mental health

1 education;

2 (B) physical education and physical activity;

3 (C) nutrition services;

4 (D) parental involvement;

5 (E) instruction on substance abuse prevention;

6 (F) school health services, including mental
7 health services;

8 (G) a comprehensive school counseling program
9 under Section 33.005;

10 (H) a safe and healthy school environment; ~~and~~

11 (I) school employee wellness; and

12 (J) social emotional learning and character
13 trait curriculum;

14 (3) appropriate grade levels and methods of
15 instruction for human sexuality instruction;

16 (4) strategies for integrating the curriculum
17 components specified by Subdivision (2) with the following elements
18 in a coordinated school health program for the district:

19 (A) school health services, including physical
20 health services and mental health services, if provided at a campus
21 by the district or by a third party under a contract with the
22 district;

23 (B) a comprehensive school counseling program
24 under Section 33.005;

25 (C) a safe and healthy school environment; and

26 (D) school employee wellness;

27 (5) if feasible, joint use agreements or strategies

1 for collaboration between the school district and community
2 organizations or agencies;

3 (6) strategies to increase parental awareness
4 regarding:

5 (A) risky behaviors and early warning signs of
6 suicide risks and behavioral health concerns, including mental
7 health disorders and substance use disorders; and

8 (B) available community programs and services
9 that address risky behaviors, suicide risks, and behavioral health
10 concerns;

11 (7) appropriate grade levels and curriculum for
12 instruction regarding opioid addiction and abuse and methods of
13 administering an opioid antagonist, as defined by Section [483.101](#),
14 Health and Safety Code; and

15 (8) appropriate grade levels and curriculum for
16 instruction regarding child abuse, family violence, dating
17 violence, and sex trafficking, including likely warning signs that
18 a child may be at risk for sex trafficking, provided that the local
19 school health advisory council's recommendations under this
20 subdivision do not conflict with the essential knowledge and skills
21 developed by the State Board of Education under this subchapter.

22 SECTION 2. This Act takes effect September 1, 2023.