

BILL ANALYSIS

S.B. 1178
By: Deuell
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties estimate that approximately one million Texas public school students have a mental illness or addictive disorder, which can cause mild to significant impairment in home and school activities and can lead to school failure, disciplinary placements and juvenile justice involvement, and, in extreme cases, suicide. The parties cite a study of disciplinary placements among Harris County school districts in asserting that special education students who were categorized as having an emotional disturbance were several times more likely to be placed in a disciplinary alternative education program than the overall student population and more likely to be placed in such a program than the overall special education population.

The parties go on to note that, without training in how to recognize and appropriately respond to students with mental or emotional issues, teachers may inadvertently reinforce or escalate the very behavior they are trying to reduce. On the other hand, such training can help teachers better manage their classrooms and help link students and their families to needed services, either on campus or in the community. While some school districts across Texas already require some level of training in this area for teachers, administrators, or both, specific mental health training in educator preparation programs is not required.

Recent legislation allowed school districts to implement early mental health intervention and suicide prevention programs from a list developed by the Department of State Health Services and the Texas Education Agency. The programs on the list included training for teachers, nurses, counselors, administrators, and other staff in how to recognize warning signs of mental health and suicide risks and how to effectively intervene. S.B. 1178 seeks to make this training component a requirement.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1178 amends the Health and Safety Code to require each school district to provide training relating to early mental health intervention and suicide prevention for teachers, counselors, principals, and all other appropriate personnel but, with regard to an elementary school campus, only to the extent that sufficient funding and programs are available. The bill authorizes a school district to implement a program on the list of recommended best practice-based early mental health intervention and suicide prevention programs to satisfy this requirement.

S.B. 1178 requires each school district, for any training required by the bill, to maintain records that include the name of each district employee who participated in the training and requires teachers, counselors, principals, and all other appropriate personnel to participate in the training at least one time. The bill establishes that provisions governing early mental health intervention and prevention of youth suicide do not waive any immunity from liability of a school district or

of district school officers or employees; do not create any liability for a cause of action against a school district or against district school officers or employees; or do not waive any immunity from medical liability for emergency care.

EFFECTIVE DATE

September 1, 2013.