

1-1 By: Taylor S.B. No. 831  
 1-2 (In the Senate - Filed February 26, 2013; March 5, 2013,  
 1-3 read first time and referred to Committee on Education;  
 1-4 April 2, 2013, reported favorably by the following vote: Yeas 8,  
 1-5 Nays 0; April 2, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to a list of mental health, substance abuse, and suicide  
 1-20 prevention programs that may be selected for implementation by  
 1-21 public schools.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. The heading to Subchapter O-1, Chapter 161,  
 1-24 Health and Safety Code, is amended to read as follows:

1-25 SUBCHAPTER O-1. [EARLY] MENTAL HEALTH, SUBSTANCE ABUSE,  
 1-26 [INTERVENTION] AND [PREVENTION OF] YOUTH SUICIDE

1-27 SECTION 2. The heading to Section 161.325, Health and  
 1-28 Safety Code, is amended to read as follows:

1-29 Sec. 161.325. [EARLY] MENTAL HEALTH PROMOTION AND  
 1-30 INTERVENTION, SUBSTANCE ABUSE PREVENTION AND INTERVENTION, AND  
 1-31 SUICIDE PREVENTION.

1-32 SECTION 3. Section 161.325, Health and Safety Code, is  
 1-33 amended by amending Subsections (a), (b), (d), (e), and (i) and  
 1-34 adding Subsections (a-1) and (a-2) to read as follows:

1-35 (a) The department, in coordination with the Texas  
 1-36 Education Agency and regional education service centers, shall  
 1-37 provide and annually update a list of recommended best  
 1-38 practice-based programs in the areas specified under Subsection  
 1-39 (a-1) [early mental health intervention and suicide prevention  
 1-40 programs] for implementation in public elementary, junior high,  
 1-41 middle, and high schools within the general education  
 1-42 setting. Each school district may select from the list a program  
 1-43 or programs appropriate for implementation in the district.

1-44 (a-1) The list must include programs in the following areas:

1-45 (1) early mental health intervention;

1-46 (2) culturally competent mental health promotion and  
 1-47 positive youth development;

1-48 (3) substance abuse prevention;

1-49 (4) substance abuse intervention; and

1-50 (5) suicide prevention.

1-51 (a-2) The department, the Texas Education Agency, and each  
 1-52 regional education service center shall make the list easily  
 1-53 accessible on their websites.

1-54 (b) The programs on the list must include components that  
 1-55 provide for training counselors, teachers, nurses, administrators,  
 1-56 and other staff, as well as law enforcement officers and social  
 1-57 workers who regularly interact with students, to:

1-58 (1) recognize students at risk of committing suicide,  
 1-59 including students who are or may be the victims of or who engage in  
 1-60 bullying;

1-61 (2) recognize students displaying early warning signs

2-1 and a possible need for early mental health or substance abuse  
2-2 intervention, which warning signs may include declining academic  
2-3 performance, depression, anxiety, isolation, unexplained changes  
2-4 in sleep or eating habits, and destructive behavior toward self and  
2-5 others; and

2-6 (3) intervene effectively with students described by  
2-7 Subdivision (1) or (2) by providing notice and referral to a parent  
2-8 or guardian so appropriate action, such as seeking mental health or  
2-9 substance abuse services, may be taken by a parent or guardian.

2-10 (d) The board of trustees of each school district may adopt  
2-11 a policy concerning [~~early~~] mental health promotion and  
2-12 intervention, substance abuse prevention and intervention, and  
2-13 suicide prevention that:

2-14 (1) establishes a procedure for providing notice of a  
2-15 recommendation for early mental health or substance abuse  
2-16 intervention regarding a student to a parent or guardian of the  
2-17 student within a reasonable amount of time after the identification  
2-18 of early warning signs as described by Subsection (b)(2);

2-19 (2) establishes a procedure for providing notice of a  
2-20 student identified as at risk of committing suicide to a parent or  
2-21 guardian of the student within a reasonable amount of time after the  
2-22 identification of early warning signs as described by Subsection  
2-23 (b)(2);

2-24 (3) establishes that the district may develop a  
2-25 reporting mechanism and may designate at least one person to act as  
2-26 a liaison officer in the district for the purposes of identifying  
2-27 students in need of early mental health or substance abuse  
2-28 intervention or suicide prevention; and

2-29 (4) sets out available counseling alternatives for a  
2-30 parent or guardian to consider when their child is identified as  
2-31 possibly being in need of early mental health or substance abuse  
2-32 intervention or suicide prevention.

2-33 (e) The policy must prohibit the use without the prior  
2-34 consent of a student's parent or guardian of a medical screening of  
2-35 the student as part of the process of identifying whether the  
2-36 student is possibly in need of early mental health or substance  
2-37 abuse intervention or suicide prevention.

2-38 (i) Nothing in this section is intended to interfere with  
2-39 the rights of parents or guardians and the decision-making  
2-40 regarding the best interest of the child. Policy and procedures  
2-41 adopted in accordance with this section are intended to notify a  
2-42 parent or guardian of a need for mental health or substance abuse  
2-43 intervention so that a parent or guardian may take appropriate  
2-44 action. Nothing in this section shall be construed as giving school  
2-45 districts the authority to prescribe medications. Any and all  
2-46 medical decisions are to be made by a parent or guardian of a  
2-47 student.

2-48 SECTION 4. This Act takes effect September 1, 2013.

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