

AN ACT

relating to reporting child abuse and neglect and to training regarding recognizing and reporting child abuse and neglect at schools, institutions of higher education, and other entities.

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

SECTION 1. Subsection (a), Section 38.004, Education Code, is amended to read as follows:

(a) The agency shall develop a policy governing the reports of child abuse or neglect [~~reports~~] required by Chapter 261, Family Code, of school districts, open-enrollment charter schools, and their employees. The policy must provide for cooperation with law enforcement child abuse investigations without the consent of the child's parents if necessary, including investigations by the Department of Family and Protective [~~and Regulatory~~] Services. The policy must require each school district and open-enrollment charter school employee to report child abuse or neglect in the manner required by Chapter 261, Family Code. Each school district and open-enrollment charter school shall adopt the policy.

SECTION 2. Subsection (c), Section 38.0041, Education Code, is amended to read as follows:

(c) The methods under Subsection (b)(1) for increasing awareness of issues regarding sexual abuse and other maltreatment of children must include training, as provided by this subsection, concerning prevention techniques for and recognition of sexual

1 abuse and all other maltreatment of children. The training:

2 (1) must be provided, as part of a new employee  
3 orientation, to all new school district and open-enrollment charter  
4 school employees and to existing district and open-enrollment  
5 charter school employees on a schedule adopted by the agency by rule  
6 until all district and open-enrollment charter school employees  
7 have taken the training [~~educators, including counselors and~~  
8 ~~coaches, and other district and charter school professional staff~~  
9 ~~members~~]; and

10 (2) [~~may be provided annually to any district or~~  
11 ~~charter school staff member, and~~

12 [~~(3)~~] must include training concerning:

13 (A) factors indicating a child is at risk for  
14 sexual abuse or other maltreatment;

15 (B) likely warning signs indicating a child may  
16 be a victim of sexual abuse or other maltreatment;

17 (C) internal procedures for seeking assistance  
18 for a child who is at risk for sexual abuse or other maltreatment,  
19 including referral to a school counselor, a social worker, or  
20 another mental health professional;

21 (D) techniques for reducing a child's risk of  
22 sexual abuse or other maltreatment; and

23 (E) community organizations that have relevant  
24 existing research-based programs that are able to provide training  
25 or other education for school district or open-enrollment charter  
26 school staff members, students, and parents.

27 SECTION 3. Subchapter A, Chapter 38, Education Code, is

1 amended by adding Section 38.0042 to read as follows:

2 Sec. 38.0042. POSTING CHILD ABUSE HOTLINE TELEPHONE NUMBER.

3 (a) Each public school and open-enrollment charter school shall  
4 post in a clearly visible location in a public area of the school  
5 that is readily accessible to students a sign in English and in  
6 Spanish that contains the toll-free telephone number operated by  
7 the Department of Family and Protective Services to receive reports  
8 of child abuse or neglect.

9 (b) The commissioner may adopt rules relating to the size  
10 and location of the sign required by Subsection (a).

11 SECTION 4. Subchapter Z, Chapter 51, Education Code, is  
12 amended by adding Section 51.9761 to read as follows:

13 Sec. 51.9761. CHILD ABUSE REPORTING POLICY AND TRAINING.

14 (a) In this section, "other maltreatment" has the meaning assigned  
15 by Section 42.002, Human Resources Code.

16 (b) Each institution of higher education shall adopt a  
17 policy governing the reporting of child abuse and neglect as  
18 required by Chapter 261, Family Code, for the institution and its  
19 employees. The policy must require each employee of the  
20 institution to report child abuse and neglect in the manner  
21 required by Chapter 261, Family Code.

22 (c) Each institution of higher education shall provide  
23 training for employees who are professionals as defined by Section  
24 261.101, Family Code, in prevention techniques for and the  
25 recognition of symptoms of sexual abuse and other maltreatment of  
26 children and the responsibility and procedure of reporting  
27 suspected occurrences of sexual abuse and other maltreatment. The

1 training must include:

2 (1) techniques for reducing a child's risk of sexual  
3 abuse or other maltreatment;

4 (2) factors indicating a child is at risk for sexual  
5 abuse or other maltreatment;

6 (3) the warning signs and symptoms associated with  
7 sexual abuse or other maltreatment and recognition of those signs  
8 and symptoms; and

9 (4) the requirements and procedures for reporting  
10 suspected sexual abuse or other maltreatment as provided by Chapter  
11 261, Family Code.

12 SECTION 5. Section 42.0426, Human Resources Code, is  
13 amended by adding Subsection (a-1) to read as follows:

14 (a-1) A licensed facility shall require each employee of the  
15 facility who attends a training program required by Subsection  
16 (a)(1) to sign a statement verifying the employee's attendance at  
17 the training program. The licensed facility shall maintain the  
18 statement in the employee's personnel records.

19 SECTION 6. This Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 939 passed the Senate on April 15, 2013, by the following vote: Yeas 29, Nays 1; and that the Senate concurred in House amendment on May 22, 2013, by the following vote: Yeas 30, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 939 passed the House, with amendment, on May 17, 2013, by the following vote: Yeas 131, Nays 3, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor