

1-1 By: West S.B. No. 939
 1-2 (In the Senate - Filed February 28, 2013; March 12, 2013,
 1-3 read first time and referred to Committee on Health and Human
 1-4 Services; April 8, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-6 April 8, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 939 By: West

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to reporting child abuse and neglect and to training
 1-22 regarding recognizing and reporting child abuse and neglect at
 1-23 schools, institutions of higher education, and other entities.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subsection (a), Section 38.004, Education Code,
 1-26 is amended to read as follows:

1-27 (a) The agency shall develop a policy governing the reports
 1-28 of child abuse or neglect ~~[reports]~~ required by Chapter 261, Family
 1-29 Code, of school districts, open-enrollment charter schools, and
 1-30 their employees. The policy must provide for cooperation with law
 1-31 enforcement child abuse investigations without the consent of the
 1-32 child's parents if necessary, including investigations by the
 1-33 Department of Family and Protective ~~[and Regulatory]~~ Services. The
 1-34 policy must require each school district and open-enrollment
 1-35 charter school employee to report child abuse or neglect in the
 1-36 manner required by Chapter 261, Family Code. Each school district
 1-37 and open-enrollment charter school shall adopt the policy.

1-38 SECTION 2. Subsection (c), Section 38.0041, Education Code,
 1-39 is amended to read as follows:

1-40 (c) The methods under Subsection (b)(1) for increasing
 1-41 awareness of issues regarding sexual abuse and other maltreatment
 1-42 of children must include training, as provided by this subsection,
 1-43 concerning prevention techniques for and recognition of sexual
 1-44 abuse and all other maltreatment of children. The training:

1-45 (1) must be provided, as part of a new employee
 1-46 orientation, to all new school district and open-enrollment charter
 1-47 school employees and to existing district and open-enrollment
 1-48 charter school employees on a schedule adopted by the agency by rule
 1-49 until all district and open-enrollment charter school employees
 1-50 have taken the training ~~[educators, including counselors and~~
 1-51 ~~coaches, and other district and charter school professional staff~~
 1-52 ~~members]; and~~

1-53 (2) ~~[may be provided annually to any district or~~
 1-54 ~~charter school staff member, and~~

1-55 ~~[-3-]~~ must include training concerning:

1-56 (A) factors indicating a child is at risk for
 1-57 sexual abuse or other maltreatment;

1-58 (B) likely warning signs indicating a child may
 1-59 be a victim of sexual abuse or other maltreatment;

1-60 (C) internal procedures for seeking assistance

2-1 for a child who is at risk for sexual abuse or other maltreatment,
2-2 including referral to a school counselor, a social worker, or
2-3 another mental health professional;

2-4 (D) techniques for reducing a child's risk of
2-5 sexual abuse or other maltreatment; and

2-6 (E) community organizations that have relevant
2-7 existing research-based programs that are able to provide training
2-8 or other education for school district or open-enrollment charter
2-9 school staff members, students, and parents.

2-10 SECTION 3. Subchapter Z, Chapter 51, Education Code, is
2-11 amended by adding Section 51.9761 to read as follows:

2-12 Sec. 51.9761. CHILD ABUSE REPORTING POLICY AND TRAINING.

2-13 (a) In this section, "other maltreatment" has the meaning assigned
2-14 by Section 42.002, Human Resources Code.

2-15 (b) Each institution of higher education shall adopt a
2-16 policy governing the reporting of child abuse and neglect as
2-17 required by Chapter 261, Family Code, for the institution and its
2-18 employees. The policy must require each employee of the
2-19 institution to report child abuse and neglect in the manner
2-20 required by Chapter 261, Family Code.

2-21 (c) Each institution of higher education shall provide
2-22 training for employees who are professionals as defined by Section
2-23 261.101, Family Code, in prevention techniques for and the
2-24 recognition of symptoms of sexual abuse and other maltreatment of
2-25 children and the responsibility and procedure of reporting
2-26 suspected occurrences of sexual abuse and other maltreatment. The
2-27 training must include:

2-28 (1) techniques for reducing a child's risk of sexual
2-29 abuse or other maltreatment;

2-30 (2) factors indicating a child is at risk for sexual
2-31 abuse or other maltreatment;

2-32 (3) the warning signs and symptoms associated with
2-33 sexual abuse or other maltreatment and recognition of those signs
2-34 and symptoms; and

2-35 (4) the requirements and procedures for reporting
2-36 suspected sexual abuse or other maltreatment as provided by Chapter
2-37 261, Family Code.

2-38 SECTION 4. Section 42.0426, Human Resources Code, is
2-39 amended by adding Subsection (a-1) to read as follows:

2-40 (a-1) A licensed facility shall require each employee of the
2-41 facility who attends a training program required by Subsection
2-42 (a)(1) to sign a statement verifying the employee's attendance at
2-43 the training program. The licensed facility shall maintain the
2-44 statement in the employee's personnel records.

2-45 SECTION 5. This Act takes effect September 1, 2013.

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