AN ACT
relating to the development and use of instructional modules and
training for public schools on the prevention of sexual abuse and
sex trafficking and participation by the human trafficking
prevention task force in that development.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Subchapter A, Chapter 28, Education Code, is
amended by adding Section 28.017 to read as follows:
Sec. 28.017. INSTRUCTION ON PREVENTION OF SEXUAL ABUSE AND
SEX TRAFFICKING. (a) The commissioner, in cooperation with the
human trafficking prevention task force created under Section
402.035, Government Code, and any other persons the commissioner
considers appropriate, shall develop one or more sexual abuse and
sex trafficking instructional modules that a school district may
use in the district's health curriculum. The modules may include:
(1) information on the different forms of sexual abuse
and assault, sex trafficking, and risk factors for sex trafficking;
(2) the procedures for reporting sexual abuse and sex
trafficking or suspected sexual abuse or sex trafficking;
(3) strategies for sexual abuse and assault prevention
and overcoming peer pressure;
(4) information on establishing healthy boundaries
for relationships, recognizing potentially abusive or harmful
relationships, and avoiding high-risk activities;
the recruiting tactics of sex traffickers and peer recruiters, including recruitment through the Internet; the legal aspects of sexual abuse and sex trafficking under state and federal law; and the influence of culture and mass media on perceptions of sexual abuse and sex trafficking, including stereotypes and myths about victims and abusers, victim blaming, and the role of language.

(b) The module or modules developed under Subsection (a) must emphasize compassion for victims of sexual abuse or sex trafficking and the creation of a positive reentry experience for survivors of sexual abuse or sex trafficking into schools.

(c) Before the beginning of each school year, a school district that elects to use a module developed under Subsection (a) in the district's health curriculum shall provide written notice to the parent of each student enrolled in the district that includes the following:

(1) a statement that the district will provide instruction relating to sexual abuse and sex trafficking awareness to students enrolled in the district; (2) a description of the material that will be used in providing instruction to students; and (3) a statement that the parent has the right to review the material and remove the parent's student from the instruction.

(d) If a school district does not comply with the requirements of Subsection (c), a parent of a student enrolled in the district may file a complaint in accordance with the district's
SECTION 2. Section 38.0041, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (a-1) to read as follows:

(a) Each school district and open-enrollment charter school shall adopt and implement a policy addressing sexual abuse, sex trafficking, and other maltreatment of children, to be included in the district improvement plan under Section 11.252 and any informational handbook provided to students and parents.

(a-1) A school district may collaborate with local law enforcement and outside consultants with expertise in the prevention of sexual abuse and sex trafficking to create the policy required under Subsection (a), and to create a referral protocol for high-risk students.

(b) A policy required by this section must address:

(1) methods for increasing staff, student, and parent awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim of sexual abuse, sex trafficking, or other maltreatment, using resources developed by the agency under Section 38.004 or by the commissioner under Section 28.017;

(2) actions that a child who is a victim of sexual abuse, sex trafficking, or other maltreatment should take to obtain assistance and intervention; and

(3) available counseling options for students affected by sexual abuse, sex trafficking, or other maltreatment.
(c) The methods under Subsection (b)(1) for increasing awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children must include training, as provided by this subsection, concerning prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children. The training:

(1) must be provided, as part of a new employee orientation, to all new school district and open-enrollment charter school employees and to existing district and open-enrollment charter school employees on a schedule adopted by the agency by rule until all district and open-enrollment charter school employees have taken the training; and

(2) must include training concerning:

(A) factors indicating a child is at risk for sexual abuse, sex trafficking, or other maltreatment;

(B) likely warning signs indicating a child may be a victim of sexual abuse, sex trafficking, or other maltreatment;

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

(D) techniques for reducing a child's risk of sexual abuse, sex trafficking, or other maltreatment; and

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

SECTION 3. Section 402.035(h), Government Code, is amended to read as follows:

(h) This section expires September 1, 2019 [2017].

SECTION 4. This Act applies beginning with the 2017-2018 school year.

SECTION 5. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.
President of the Senate                                      Speaker of the House

I hereby certify that S.B. No. 2039 passed the Senate on
May 8, 2017, by the following vote: Yeas 27, Nays 4; and that the
Senate concurred in House amendment on May 28, 2017, by the
following vote: Yeas 26, Nays 5.

Secretary of the Senate

I hereby certify that S.B. No. 2039 passed the House, with
amendment, on May 24, 2017, by the following vote: Yeas 141,
Nays 5, two present not voting.

Chief Clerk of the House

Approved:

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Date

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Governor