

1-1 By: Zaffirini S.B. No. 2039
 1-2 (In the Senate - Filed March 10, 2017; March 27, 2017, read
 1-3 first time and referred to Committee on Education; May 1, 2017,
 1-4 reported adversely, with favorable Committee Substitute by the
 1-5 following vote: Yeas 10, Nays 0, 1 present not voting;
 1-6 May 1, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor of Galveston	X			
1-9 Lucio	X			
1-10 Bettencourt	X			
1-11 Campbell	X			
1-12 Hall	X			
1-13 Huffines	X			
1-14 Hughes	X			
1-15 Seliger	X			
1-16 Taylor of Collin				X
1-17 Uresti	X			
1-18 West	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 2039 By: Uresti

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the development of a program and training for public
 1-24 schools on the prevention of sexual abuse and sex trafficking and
 1-25 participation by the human trafficking prevention task force in
 1-26 that development.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Subchapter A, Chapter 28, Education Code, is
 1-29 amended by adding Section 28.017 to read as follows:

1-30 Sec. 28.017. INSTRUCTION ON PREVENTION OF SEXUAL ABUSE AND
 1-31 SEX TRAFFICKING. (a) The commissioner, in cooperation with the
 1-32 human trafficking prevention task force created under Section
 1-33 402.035, Government Code, and any other persons the commissioner
 1-34 considers appropriate, shall develop a sexual abuse and sex
 1-35 trafficking prevention program that a school district may use in
 1-36 the district's health curriculum. The program must include:

1-37 (1) information on the different forms of sexual abuse
 1-38 and assault, sex trafficking, and risk factors for sex trafficking;

1-39 (2) the procedures for reporting sexual abuse and sex
 1-40 trafficking or suspected sexual abuse or sex trafficking;

1-41 (3) strategies for sexual abuse and assault prevention
 1-42 and overcoming peer pressure;

1-43 (4) information on establishing healthy boundaries
 1-44 for relationships, recognizing potentially abusive or harmful
 1-45 relationships, and avoiding high-risk activities;

1-46 (5) the recruiting tactics of sex traffickers and peer
 1-47 recruiters, including recruitment through the Internet;

1-48 (6) the legal aspects of sexual abuse and sex
 1-49 trafficking under state and federal law; and

1-50 (7) the influence of culture and mass media on
 1-51 perceptions of sexual abuse and sex trafficking, including
 1-52 stereotypes and myths about victims and abusers, victim blaming,
 1-53 and the role of language.

1-54 (b) The program developed under Subsection (a) must
 1-55 emphasize compassion for victims of sexual abuse or sex trafficking
 1-56 and the creation of a positive reentry experience for survivors of
 1-57 sexual abuse or sex trafficking into schools.

1-58 SECTION 2. Section 38.0041, Education Code, is amended by
 1-59 amending Subsections (a), (b), and (c) and adding Subsection (a-1)
 1-60 to read as follows:

2-1 (a) Each school district and open-enrollment charter school
2-2 shall adopt and implement a policy addressing sexual abuse, sex
2-3 trafficking, and other maltreatment of children, to be included in
2-4 the district improvement plan under Section 11.252 and any
2-5 informational handbook provided to students and parents.

2-6 (a-1) A school district may collaborate with local law
2-7 enforcement and outside consultants with expertise in the
2-8 prevention of sexual abuse and sex trafficking to create the policy
2-9 required under Subsection (a), and to create a referral protocol
2-10 for high-risk students.

2-11 (b) A policy required by this section must address:

2-12 (1) methods for increasing staff, student, and parent
2-13 awareness of issues regarding sexual abuse, sex trafficking, and
2-14 other maltreatment of children, including prevention techniques
2-15 and knowledge of likely warning signs indicating that a child may be
2-16 a victim of sexual abuse, sex trafficking, or other maltreatment,
2-17 using resources developed by the agency under Section 38.004 or by
2-18 the commissioner under Section 28.017;

2-19 (2) actions that a child who is a victim of sexual
2-20 abuse, sex trafficking, or other maltreatment should take to obtain
2-21 assistance and intervention; and

2-22 (3) available counseling options for students
2-23 affected by sexual abuse, sex trafficking, or other maltreatment.

2-24 (c) The methods under Subsection (b)(1) for increasing
2-25 awareness of issues regarding sexual abuse, sex trafficking, and
2-26 other maltreatment of children must include training, as provided
2-27 by this subsection, concerning prevention techniques for and
2-28 recognition of sexual abuse, sex trafficking, and all other
2-29 maltreatment of children. The training:

2-30 (1) must be provided, as part of a new employee
2-31 orientation, to all new school district and open-enrollment charter
2-32 school employees and to existing district and open-enrollment
2-33 charter school employees on a schedule adopted by the agency by rule
2-34 until all district and open-enrollment charter school employees
2-35 have taken the training; and

2-36 (2) must include training concerning:

2-37 (A) factors indicating a child is at risk for
2-38 sexual abuse, sex trafficking, or other maltreatment;

2-39 (B) likely warning signs indicating a child may
2-40 be a victim of sexual abuse, sex trafficking, or other
2-41 maltreatment;

2-42 (C) internal procedures for seeking assistance
2-43 for a child who is at risk for sexual abuse, sex trafficking, or
2-44 other maltreatment, including referral to a school counselor, a
2-45 social worker, or another mental health professional;

2-46 (D) techniques for reducing a child's risk of
2-47 sexual abuse, sex trafficking, or other maltreatment; and

2-48 (E) community organizations that have relevant
2-49 existing research-based programs that are able to provide training
2-50 or other education for school district or open-enrollment charter
2-51 school staff members, students, and parents.

2-52 SECTION 3. Section 402.035(h), Government Code, is amended
2-53 to read as follows:

2-54 (h) This section expires September 1, 2019 [~~2017~~].

2-55 SECTION 4. This Act applies beginning with the 2017-2018
2-56 school year.

2-57 SECTION 5. This Act takes effect only if a specific
2-58 appropriation for the implementation of the Act is provided in a
2-59 general appropriations act of the 85th Legislature.

2-60 SECTION 6. This Act takes effect immediately if it receives
2-61 a vote of two-thirds of all the members elected to each house, as
2-62 provided by Section 39, Article III, Texas Constitution. If this
2-63 Act does not receive the vote necessary for immediate effect, this
2-64 Act takes effect September 1, 2017.

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