

BILL ANALYSIS

H.B. 1640
By: Martinez
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

As the nation places an emphasis on school safety due to recent school shootings, a common issue of importance across all states is that of mental health and school counseling. It has been suggested that while school counselors are in a unique position to enact serious change among students, many find themselves busy with administrative work or even classroom teaching. H.B. 1640 seeks to address this issue by establishing a pilot program that provides schools with a counselor who is more focused on the mental health of students.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

H.B. 1640 amends the Education Code to require the commissioner of education to establish a life skills counselor pilot program as a strategy for addressing emotional and mental health concerns of students at each high school campus located in a county that:

- is adjacent to at least two counties that border the Gulf of Mexico and least two counties that are located on the international border; and
- is located within 50 miles of such a county.

H.B. 1640 requires a public school district located in an applicable county to employ for each district high school campus located in the county a certified school counselor to serve as a life skills counselor under the pilot program. The bill requires such a life skills counselor to collaborate with district administrators, school counselors, social workers, other appropriately credentialed mental health professionals, and local law enforcement agencies to address mental health concerns affecting students at the campus; provide instruction to students enrolled at the campus relating to skills and techniques to cope with anxiety, frustration, and other emotions; counsel any students enrolled at the campus who have committed a crime of violence or are identified as having a mental health condition; and establish a voluntary counseling program for students enrolled at the campus. The bill authorizes an applicable district to solicit and accept a gift, grant, or donation from any source to implement or administer the pilot program.

H.B. 1640 requires the commissioner, not later than January 1, 2025, to review the pilot program and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative standing committee with primary jurisdiction over

primary and secondary education a written report regarding the progress made by the pilot program in addressing emotional and mental health concerns of students. The bill requires the commissioner, not later than December 1, 2019, to adopt rules necessary to implement and administer the pilot program. The bill requires the pilot program to be implemented in each applicable public high school beginning with the 2020-2021 school year. The bill's provisions expire September 1, 2025.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.