By:  González of El Paso, Meyer, Button H.B. No. 111

     (Senate Sponsor - Fallon)

(In the Senate - Received from the House March 21, 2019; March 27, 2019, read first time and referred to Committee on Education; May 10, 2019, reported favorably by the following vote: Yeas 11, Nays 0; May 10, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Taylor            X

Lucio                X

Bettencourt          X

Campbell             X

Fallon               X

Hall                 X

Hughes               X

Paxton               X

Powell               X

Watson               X

West                 X

A BILL TO BE ENTITLED

AN ACT

relating to public school policy and training for public school employees addressing the prevention of sexual abuse, sex trafficking, and other maltreatment of certain children.

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

SECTION 1.  Sections 38.0041(a), (a-1), (b), and (c), Education Code, as amended by Chapter 762 (S.B. 2039), Acts of the 85th Legislature, Regular Session, 2017, are reenacted and amended 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 or the commissioner regarding those issues, including 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, including the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities. 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 2.  This Act applies beginning with the 2019-2020 school year.

SECTION 3.  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, 2019.

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