86R19400 SRS-F

By:  Coleman H.B. No. 1623

Substitute the following for H.B. No. 1623:

By:  Allen C.S.H.B. No. 1623

A BILL TO BE ENTITLED

AN ACT

relating to training for public school personnel to identify and intervene if a student suffers from behavioral health issues.

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

SECTION 1.  Section 21.451(d), Education Code, is amended to read as follows:

(d)  The staff development:

(1)  may include training in:

(A)  technology;

(B)  conflict resolution;

(C)  discipline strategies, including classroom management, district discipline policies, and the student code of conduct adopted under Section 37.001 and Chapter 37;

(D)  preventing, identifying, responding to, and reporting incidents of bullying; and

(E)  digital learning;

(2)  subject to Subsection (e) and to Section 21.3541 and rules adopted under that section, must include training that is evidence-based, as defined by Section 8101, Every Student Succeeds Act (20 U.S.C. Section 7801), that:

(A)  relates to instruction of students with disabilities; and

(B)  is designed for educators who work primarily outside the area of special education; and

(3)  must include suicide prevention and trauma-informed practices training that must be provided:

(A)  on an annual basis, as part of a new employee orientation, to all new school district and open-enrollment charter school educators; and

(B)  to existing school district and open-enrollment charter school educators on a schedule adopted by the agency by rule that requires an educator to be trained at least once every five years.

SECTION 2.  Section 161.325(a-1), Health and Safety Code, as amended by Chapters 522 (S.B. 179) and 714 (H.B. 4056), Acts of the 85th Legislature, Regular Session, 2017, is reenacted and amended to read as follows:

(a-1)  The list must include programs and practices in the following areas:

(1)  early mental health intervention;

(2)  mental health promotion;

(3)  substance abuse prevention and[~~;~~

[~~(4)  substance abuse~~] intervention;

(4) [~~(5)~~]  suicide prevention;

(5) [~~(6)~~]  grief-informed and trauma-informed practices;

(6) [~~(7)~~]  building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making;

(7) [~~(8)~~]  positive behavior interventions and supports and positive youth development; and

(8) [~~(9)~~]  safe and supportive school climate.

SECTION 3.  Section 161.325, Health and Safety Code, is amended by adding Subsections (b-1), (c-3), (c-4), and (c-5) and amending Subsections (c-1) and (c-2) to read as follows:

(b-1)  The trauma-informed practices on the list must include components that provide for training counselors, teachers, nurses, administrators, and other staff, as well as law enforcement officers and social workers who regularly interact with students, to:

(1)  recognize students displaying signs of physical or emotional trauma;

(2)  recognize students displaying signs of physical or emotional trauma and a possible need for early mental health or substance abuse intervention, which warning signs may include declining academic performance, depression, anxiety, isolation, unexplained changes in sleep or eating habits, and destructive behavior toward self and others; and

(3)  intervene effectively with students described by this subsection by providing notice and referral to a parent or guardian so appropriate action, such as seeking mental health or substance abuse services, may be taken by a parent or guardian.

(c-1)  Except as otherwise provided by this subsection, each school district or open-enrollment charter school shall provide training described in the components set forth under Subsections [~~Subsection~~] (b) and (b-1) for teachers, counselors, principals, and all other appropriate personnel. A school district or open-enrollment charter school is required to provide the training at an elementary school campus only to the extent that sufficient funding and programs are available. A school district or open-enrollment charter school may implement a program on the list to satisfy the requirements of this subsection.

(c-2)  If a school district or open-enrollment charter school provides the training under Subsection (c-1):

(1)  a school district or open-enrollment charter school employee described under that subsection must participate in the training at least once every five years [~~one time~~]; and

(2)  the school district or open-enrollment charter school shall maintain records that include the name of each district or school employee who participated in the training.

(c-3)  Each school district and open-enrollment charter school shall report annually to the Texas Education Agency the following information for the district or school as a whole and for each school campus:

(1)  the number of teachers, principals, and counselors employed by the district or school who have completed training under this section; and

(2)  the total number of teachers, principals, and counselors employed by the district or school.

(c-4)  The Texas Education Agency shall compile the information reported under Subsection (c-3) for the state as a whole, each district and open-enrollment charter school, and each campus. The agency shall make the information available to a member of the public who submits a public information request under Chapter 552, Government Code.

(c-5)  A school district or open-enrollment charter school may not receive any grant of money for mental health services from the agency unless the district or school is in compliance with Subsection (c-3).

SECTION 4.  This Act takes effect September 1, 2019.