S.B. No. 11

AN ACT

relating to policies, procedures, and measures for school safety and mental health promotion in public schools and the creation of the Texas Child Mental Health Care Consortium.

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

SECTION 1.  Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.061 to read as follows:

Sec. 7.061.  FACILITIES STANDARDS. (a)  In this section, "instructional facility" has the meaning assigned by Section 46.001.

(b)  The commissioner shall adopt or amend rules as necessary to ensure that building standards for instructional facilities and other school district and open-enrollment charter school facilities provide a secure and safe environment. In adopting or amending rules under this section, the commissioner shall include the use of best practices for:

(1)  the design and construction of new facilities; and

(2)  the improvement, renovation, and retrofitting of existing facilities.

(c)  Not later than September 1 of each even-numbered year, the commissioner shall review all rules adopted or amended under this section and amend the rules as necessary to ensure that building standards for school district and open-enrollment charter school facilities continue to provide a secure and safe environment.

SECTION 2.  Section 11.252(a), Education Code, is amended to read as follows:

(a)  Each school district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee established under Section 11.251. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the achievement indicators adopted under Section 39.053(c). The district improvement plan must include provisions for:

(1)  a comprehensive needs assessment addressing district student performance on the achievement indicators, and other appropriate measures of performance, that are disaggregated by all student groups served by the district, including categories of ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs under Subchapter A, Chapter 29;

(2)  measurable district performance objectives for all appropriate achievement indicators for all student populations, including students in special education programs under Subchapter A, Chapter 29, and other measures of student performance that may be identified through the comprehensive needs assessment;

(3)  strategies for improvement of student performance that include:

(A)  instructional methods for addressing the needs of student groups not achieving their full potential;

(B)  methods for addressing the needs of students for special programs, including:

(i)  suicide prevention programs, in accordance with Subchapter O-1, Chapter 161, Health and Safety Code, which includes a parental or guardian notification procedure;

(ii)  conflict resolution programs;

(iii)  violence prevention programs; and

(iv)  dyslexia treatment programs;

(C)  dropout reduction;

(D)  integration of technology in instructional and administrative programs;

(E)  discipline management;

(F)  staff development for professional staff of the district;

(G)  career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities; and

(H)  accelerated education;

(4)  strategies for providing to middle school, junior high school, and high school students, those students' teachers and school counselors, and those students' parents information about:

(A)  higher education admissions and financial aid opportunities;

(B)  the TEXAS grant program and the Teach for Texas grant program established under Chapter 56;

(C)  the need for students to make informed curriculum choices to be prepared for success beyond high school; and

(D)  sources of information on higher education admissions and financial aid;

(5)  resources needed to implement identified strategies;

(6)  staff responsible for ensuring the accomplishment of each strategy;

(7)  timelines for ongoing monitoring of the implementation of each improvement strategy;

(8)  formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance; [~~and~~]

(9)  the policy under Section 38.0041 addressing sexual abuse and other maltreatment of children; and

(10)  the trauma-informed care policy required under Section 38.036.

SECTION 3.  Section 12.104(b), Education Code, as amended by Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts of the 85th Legislature, Regular Session, 2017, is reenacted and amended to read as follows:

(b)  An open-enrollment charter school is subject to:

(1)  a provision of this title establishing a criminal offense; and

(2)  a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A)  the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B)  criminal history records under Subchapter C, Chapter 22;

(C)  reading instruments and accelerated reading instruction programs under Section 28.006;

(D)  accelerated instruction under Section 28.0211;

(E)  high school graduation requirements under Section 28.025;

(F)  special education programs under Subchapter A, Chapter 29;

(G)  bilingual education under Subchapter B, Chapter 29;

(H)  prekindergarten programs under Subchapter E or E-1, Chapter 29;

(I)  extracurricular activities under Section 33.081;

(J)  discipline management practices or behavior management techniques under Section 37.0021;

(K)  health and safety under Chapter 38;

(L)  public school accountability under Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

(M)  the requirement under Section 21.006 to report an educator's misconduct;

(N)  intensive programs of instruction under Section 28.0213;

(O)  the right of a school employee to report a crime, as provided by Section 37.148; [~~and~~]

(P)  bullying prevention policies and procedures under Section 37.0832;

(Q)  the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student; [~~and~~]

(R)  the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(S) [~~(P)~~]  a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d); and

(T)  school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207, and 37.2071.

SECTION 4.  Sections 21.054(d) and (d-2), Education Code, are amended to read as follows:

(d)  Continuing education requirements for a classroom teacher must provide that not more than 25 percent of the training required every five years include instruction regarding:

(1)  collecting and analyzing information that will improve effectiveness in the classroom;

(2)  recognizing early warning indicators that a student may be at risk of dropping out of school;

(3)  digital learning, digital teaching, and integrating technology into classroom instruction;

(4)  educating diverse student populations, including:

(A)  students with disabilities, including mental health disorders;

(B)  students who are educationally disadvantaged;

(C)  students of limited English proficiency; and

(D)  students at risk of dropping out of school; [~~and~~]

(5)  understanding appropriate relationships, boundaries, and communications between educators and students; and[~~.~~]

(6)  [~~(d-2) Continuing education requirements for a classroom teacher may include instruction regarding~~] how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.

(d-2)  The instruction required under Subsection (d)(6) must:

(1)  comply with the training required by Section 38.036(c)(1); and

(2)  be approved by the commissioner.

SECTION 5.  Section 25.081(a), Education Code, is amended to read as follows:

(a)  Except as authorized under Subsection (b) of this section, Section 25.0815, Section 25.084, or Section 29.0821, for each school year each school district must operate for at least 75,600 minutes, including time allocated for instruction, intermissions, and recesses for students.

SECTION 6.  Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.0815 to read as follows:

Sec. 25.0815.  OPERATION AND INSTRUCTIONAL TIME WAIVERS FOR SCHOOL SAFETY TRAINING. (a)  The commissioner shall provide a waiver allowing for fewer minutes of operation and instructional time than required under Section 25.081(a) for a school district that requires each educator employed by the district to attend an approved school safety training course.

(b)  A waiver under this section:

(1)  must allow sufficient time for the school district's educators to attend the school safety training course; and

(2)  may not:

(A)  result in an inadequate number of minutes of instructional time for students; or

(B)  reduce the number of minutes of operation and instructional time by more than 420 minutes.

(c)  To be approved under this section, a school safety training course must apply to the Texas School Safety Center. The Texas School Safety Center may approve a training course if the course satisfies the training requirements as determined by the center.

(d)  The commissioner may adopt rules to implement this section.

SECTION 7.  Section 28.002, Education Code, is amended by amending Subsection (a) and adding Subsection (z) to read as follows:

(a)  Each school district that offers kindergarten through grade 12 shall offer, as a required curriculum:

(1)  a foundation curriculum that includes:

(A)  English language arts;

(B)  mathematics;

(C)  science; and

(D)  social studies, consisting of Texas, United States, and world history, government, economics, with emphasis on the free enterprise system and its benefits, and geography; and

(2)  an enrichment curriculum that includes:

(A)  to the extent possible, languages other than English;

(B)  health, with emphasis on:

(i)  physical health, including the importance of proper nutrition and exercise;

(ii)  mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and

(iii)  suicide prevention, including recognizing suicide-related risk factors and warning signs;

(C)  physical education;

(D)  fine arts;

(E)  career and technology education;

(F)  technology applications;

(G)  religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and

(H)  personal financial literacy.

(z)  The State Board of Education by rule shall require each school district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying. In this subsection:

(1)  "Cyberbullying" has the meaning assigned by Section 37.0832.

(2)  "Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

SECTION 8.  Section 28.004, Education Code, is amended by amending Subsection (c) and adding Subsection (o) to read as follows:

(c)  The local school health advisory council's duties include recommending:

(1)  the number of hours of instruction to be provided in health education;

(2)  policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:

(A)  health education;

(B)  physical education and physical activity;

(C)  nutrition services;

(D)  parental involvement;

(E)  instruction to prevent the use of e-cigarettes, as defined by Section 161.081, Health and Safety Code, and tobacco;

(F)  school health services;

(G)  counseling and guidance services;

(H)  a safe and healthy school environment; and

(I)  school employee wellness;

(3)  appropriate grade levels and methods of instruction for human sexuality instruction;

(4)  strategies for integrating the curriculum components specified by Subdivision (2) with the following elements in a coordinated school health program for the district:

(A)  school health services;

(B)  counseling and guidance services;

(C)  a safe and healthy school environment; and

(D)  school employee wellness; [~~and~~]

(5)  if feasible, joint use agreements or strategies for collaboration between the school district and community organizations or agencies; and

(6)  strategies to increase parental awareness regarding:

(A)  risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and

(B)  available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns.

(o)  The local school health advisory council shall make policy recommendations to the district to increase parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services.

SECTION 9.  Section 37.0812, Education Code, is amended to read as follows:

Sec. 37.0812.  TRAINING POLICY: SCHOOL DISTRICT PEACE OFFICERS AND SCHOOL RESOURCE OFFICERS. A school district [~~with an enrollment of 30,000 or more students~~] that commissions a school district peace officer or at which a school resource officer provides law enforcement shall adopt a policy requiring the officer to complete the education and training program required by Section 1701.263, Occupations Code.

SECTION 10.  Section 37.108, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsections (b-1) and (f) to read as follows:

(a)  Each school district or public junior college district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center in conjunction with the governor's office of homeland security and the commissioner of education or commissioner of higher education, as applicable [~~in conjunction with the governor's office of homeland security~~]. The plan must provide for:

(1)  [~~district employee~~] training in responding to an emergency for district employees, including substitute teachers;

(2)  measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments;

(3)  measures to ensure district communications technology and infrastructure are adequate to allow for communication during an emergency;

(4)  if the plan applies to a school district, mandatory school drills and exercises, including drills required under Section 37.114, to prepare district students and employees for responding to an emergency;

(5) [~~(3)~~]  measures to ensure coordination with the Department of State Health Services and local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency; and

(6) [~~(4)~~]  the implementation of a safety and security audit as required by Subsection (b).

(b)  At least once every three years, each school district or public junior college district shall conduct a safety and security audit of the district's facilities. To the extent possible, a district shall follow safety and security audit procedures developed by the Texas School Safety Center or a person included in the registry established by the Texas School Safety Center under Section 37.2091 [~~comparable public or private entity~~].

(b-1)  In a school district's safety and security audit required under Subsection (b), the district must certify that the district used the funds provided to the district through the school safety allotment under Section 42.168 only for the purposes provided by that section.

(c)  A school district or public junior college district shall report the results of the safety and security audit conducted under Subsection (b) to the district's board of trustees and, in the manner required by the Texas School Safety Center, to the Texas School Safety Center. The report provided to the Texas School Safety Center under this subsection must be signed by:

(1)  for a school district, the district's board of trustees and superintendent; or

(2)  for a public junior college district, the president of the junior college district.

(f)  A school district shall include in its multihazard emergency operations plan:

(1)  a chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;

(2)  provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of this section by the agency or the Texas School Safety Center;

(3)  provisions for ensuring the safety of students in portable buildings;

(4)  provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;

(5)  provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;

(6)  provisions for supporting the psychological safety of students, district personnel, and the community during the response and recovery phase following a disaster or emergency situation that:

(A)  are aligned with best practice-based programs and research-based practices recommended under Section 161.325, Health and Safety Code;

(B)  include strategies for ensuring any required professional development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;

(C)  include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and Texas School Safety Center for:

(i)  members of the district's school safety and security committee under Section 37.109;

(ii)  district school counselors and mental health professionals; and

(iii)  educators and other district personnel as determined by the district;

(D)  include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by Subdivision (2); and

(E)  implement trauma-informed policies;

(7)  a policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill; and

(8)  the name of each individual on the district's school safety and security committee established under Section 37.109 and the date of each committee meeting during the preceding year.

SECTION 11.  Subchapter D, Chapter 37, Education Code, is amended by adding Sections 37.1081 and 37.1082 to read as follows:

Sec. 37.1081.  PUBLIC HEARING ON MULTIHAZARD EMERGENCY OPERATIONS PLAN NONCOMPLIANCE. (a)  If the board of trustees of a school district receives notice of noncompliance under Section 37.207(e) or 37.2071(g), the board shall hold a public hearing to notify the public of:

(1)  the district's failure to:

(A)  submit or correct deficiencies in a multihazard emergency operations plan; or

(B)  report the results of a safety and security audit to the Texas School Safety Center as required by law;

(2)  the dates during which the district has not been in compliance; and

(3)  the names of each member of the board of trustees and the superintendent serving in that capacity during the dates the district was not in compliance.

(b)  The school district shall provide the information required under Subsection (a)(3) in writing to each person in attendance at the hearing.

(c)  The board shall give members of the public a reasonable opportunity to appear before the board and to speak on the issue of the district's failure to submit or correct deficiencies in a multihazard emergency operations plan or report the results of a safety and security audit during a hearing held under this section.

(d)  A school district required to hold a public hearing under Subsection (a) shall provide written confirmation to the Texas School Safety Center that the district held the hearing.

Sec. 37.1082.  MULTIHAZARD EMERGENCY OPERATIONS PLAN NONCOMPLIANCE; APPOINTMENT OF CONSERVATOR OR BOARD OF MANAGERS. (a)  If the agency receives notice from the Texas School Safety Center of a school district's failure to submit a multihazard emergency operations plan, the commissioner may appoint a conservator for the district under Chapter 39A. The conservator may order the district to adopt, implement, and submit a multihazard emergency operations plan.

(b)  If a district fails to comply with a conservator's order to adopt, implement, and submit a multihazard emergency operations plan within the time frame imposed by the commissioner, the commissioner may appoint a board of managers under Chapter 39A to oversee the operations of the district.

(c)  The commissioner may adopt rules as necessary to administer this section.

SECTION 12.  Section 37.109, Education Code, is amended by adding Subsections (a-1), (c), and (d) and amending Subsection (b) to read as follows:

(a-1)  The committee, to the greatest extent practicable, must include:

(1)  one or more representatives of an office of emergency management of a county or city in which the district is located;

(2)  one or more representatives of the local police department or sheriff's office;

(3)  one or more representatives of the district's police department, if applicable;

(4)  the president of the district's board of trustees;

(5)  a member of the district's board of trustees other than the president;

(6)  the district's superintendent;

(7)  one or more designees of the district's superintendent, one of whom must be a classroom teacher in the district;

(8)  if the district partners with an open-enrollment charter school to provide instruction to students, a member of the open-enrollment charter school's governing body or a designee of the governing body; and

(9)  two parents or guardians of students enrolled in the district.

(b)  The committee shall:

(1)  participate on behalf of the district in developing and implementing emergency plans consistent with the district multihazard emergency operations plan required by Section 37.108(a) to ensure that the plans reflect specific campus, facility, or support services needs;

(2)  periodically provide recommendations to the district's board of trustees and district administrators regarding updating the district multihazard emergency operations plan required by Section 37.108(a) in accordance with best practices identified by the agency, the Texas School Safety Center, or a person included in the registry established by the Texas School Safety Center under Section 37.2091;

(3)  provide the district with any campus, facility, or support services information required in connection with a safety and security audit required by Section 37.108(b), a safety and security audit report required by Section 37.108(c), or another report required to be submitted by the district to the Texas School Safety Center; [~~and~~]

(4) [~~(3)~~]  review each report required to be submitted by the district to the Texas School Safety Center to ensure that the report contains accurate and complete information regarding each campus, facility, or support service in accordance with criteria established by the center; and

(5)  consult with local law enforcement agencies on methods to increase law enforcement presence near district campuses.

(c)  Except as otherwise provided by this subsection, the committee shall meet at least once during each academic semester and at least once during the summer. A committee established by a school district that operates schools on a year-round system or in accordance with another alternative schedule shall meet at least three times during each calendar year, with an interval of at least two months between each meeting.

(d)  The committee is subject to Chapter 551, Government Code, and may meet in executive session as provided by that chapter. Notice of a committee meeting must be posted in the same manner as notice of a meeting of the district's board of trustees.

SECTION 13.  Subchapter D, Chapter 37, Education Code, is amended by adding Sections 37.113, 37.114, and 37.115 to read as follows:

Sec. 37.113.  NOTIFICATION REGARDING BOMB THREAT OR TERRORISTIC THREAT. A school district that receives a bomb threat or terroristic threat relating to a campus or other district facility at which students are present shall provide notification of the threat as soon as possible to the parent or guardian of or other person standing in parental relation to each student who is assigned to the campus or who regularly uses the facility, as applicable.

Sec. 37.114.  EMERGENCY EVACUATIONS; MANDATORY SCHOOL DRILLS. The commissioner, in consultation with the Texas School Safety Center and the state fire marshal, shall adopt rules:

(1)  providing procedures for evacuating and securing school property during an emergency; and

(2)  designating the number of mandatory school drills to be conducted each semester of the school year, not to exceed eight drills, including designating the number of:

(A)  evacuation fire exit drills; and

(B)  lockdown, lockout, shelter-in-place, and evacuation drills.

Sec. 37.115.  THREAT ASSESSMENT AND SAFE AND SUPPORTIVE SCHOOL PROGRAM AND TEAM. (a)  In this section:

(1)  "Harmful, threatening, or violent behavior" includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

(A)  specific interventions, including mental health or behavioral supports;

(B)  in-school suspension;

(C)  out-of-school suspension; or

(D)  the student's expulsion or removal to a disciplinary alternative education program or a juvenile justice alternative education program.

(2)  "Team" means a threat assessment and safe and supportive school team established by the board of trustees of a school district under this section.

(b)  The agency, in coordination with the Texas School Safety Center, shall adopt rules to establish a safe and supportive school program. The rules shall incorporate research-based best practices for school safety, including providing for:

(1)  physical and psychological safety;

(2)  a multiphase and multihazard approach to prevention, mitigation, preparedness, response, and recovery in a crisis situation;

(3)  a systemic and coordinated multitiered support system that addresses school climate, the social and emotional domain, and behavioral and mental health; and

(4)  multidisciplinary and multiagency collaboration to assess risks and threats in schools and provide appropriate interventions, including rules for the establishment and operation of teams.

(c)  The board of trustees of each school district shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams. The team is responsible for developing and implementing the safe and supportive school program under Subsection (b) at the district campus served by the team. The policies and procedures adopted under this section must:

(1)  be consistent with the model policies and procedures developed by the Texas School Safety Center;

(2)  require each team to complete training provided by the Texas School Safety Center or a regional education service center regarding evidence-based threat assessment programs; and

(3)  require each team established under this section to report the information required under Subsection (k) regarding the team's activities to the agency.

(d)  The superintendent of the district shall ensure that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a school district, provided that each district campus is assigned a team.

(e)  The superintendent of a school district may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility under this subsection must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

(f)  Each team shall:

(1)  conduct a threat assessment that includes:

(A)  assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with the policies and procedures adopted under Subsection (c); and

(B)  gathering and analyzing data to determine the level of risk and appropriate intervention, including:

(i)  referring a student for mental health assessment; and

(ii)  implementing an escalation procedure, if appropriate based on the team's assessment, in accordance with district policy;

(2)  provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and

(3)  support the district in implementing the district's multihazard emergency operations plan.

(g)  A team may not provide a mental health care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or person standing in parental relation to the student before providing the mental health care service. The consent required by this subsection must be submitted on a form developed by the school district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

(h)  On a determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. The requirements of this subsection do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

(i)  A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

(j)  A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

(k)  A team must report to the agency in accordance with guidelines developed by the agency the following information regarding the team's activities and other information for each school district campus the team serves:

(1)  the occupation of each person appointed to the team;

(2)  the number of threats and a description of the type of the threats reported to the team;

(3)  the outcome of each assessment made by the team, including:

(A)  any disciplinary action taken, including a change in school placement;

(B)  any action taken by law enforcement; or

(C)  a referral to or change in counseling, mental health, special education, or other services;

(4)  the total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:

(A)  citations issued for Class C misdemeanor offenses;

(B)  arrests;

(C)  incidents of uses of restraint;

(D)  changes in school placement, including placement in a juvenile justice alternative education program or disciplinary alternative education program;

(E)  referrals to or changes in counseling, mental health, special education, or other services;

(F)  placements in in-school suspension or out-of-school suspension and incidents of expulsion;

(G)  unexcused absences of 15 or more days during the school year; and

(H)  referrals to juvenile court for truancy; and

(5)  the number and percentage of school personnel trained in:

(A)  a best-practices program or research-based practice under Section 161.325, Health and Safety Code, including the number and percentage of school personnel trained in:

(i)  suicide prevention; or

(ii)  grief and trauma-informed practices;

(B)  mental health or psychological first aid for schools;

(C)  training relating to the safe and supportive school program established under Subsection (b); or

(D)  any other program relating to safety identified by the commissioner.

(l)  The commissioner may adopt rules to implement this section.

SECTION 14.  Section 37.207, Education Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c)  In addition to a review of a district's multihazard emergency operations plan under Section 37.2071, the center may require a district to submit its plan for immediate review if the district's audit results indicate that the district is not complying with applicable standards.

(d)  If a district fails to report the results of its audit as required under Subsection (b), the center shall provide the district with written notice that the district has failed to report its audit results and must immediately report the results to the center.

(e)  If six months after the date of the initial notification required by Subsection (d) the district has still not reported the results of its audit to the center, the center shall notify the agency and the district of the district's requirement to conduct a public hearing under Section 37.1081. This subsection applies only to a school district.

SECTION 15.  Subchapter G, Chapter 37, Education Code, is amended by adding Section 37.2071 to read as follows:

Sec. 37.2071.  DISTRICT MULTIHAZARD EMERGENCY OPERATIONS PLAN REVIEW AND VERIFICATION. (a)  The center shall establish a random or need-based cycle for the center's review and verification of school district and public junior college district multihazard emergency operations plans adopted under Section 37.108. The cycle must provide for each district's plan to be reviewed at regular intervals as determined by the center.

(b)  A school district or public junior college district shall submit its multihazard emergency operations plan to the center on request of the center and in accordance with the center's review cycle developed under Subsection (a).

(c)  The center shall review each district's multihazard emergency operations plan submitted under Subsection (b) and:

(1)  verify the plan meets the requirements of Section 37.108; or

(2)  provide the district with written notice:

(A)  describing the plan's deficiencies; and

(B)  stating that the district must correct the deficiencies in its plan and resubmit the revised plan to the center.

(d)  If a district fails to submit its multihazard emergency operations plan to the center for review, the center shall provide the district with written notice stating that the district:

(1)  has failed to submit a plan; and

(2)  must submit a plan to the center for review and verification.

(e)  The center may approve a district multihazard emergency operations plan that has deficiencies if the district submits a revised plan that the center determines will correct the deficiencies.

(f)  If three months after the date of initial notification of a plan's deficiencies under Subsection (c)(2) or failure to submit a plan under Subsection (d) a district has not corrected the plan deficiencies or has failed to submit a plan, the center shall provide written notice to the district and agency that the district has not complied with the requirements of this section and must comply immediately.

(g)  If a school district still has not corrected the plan deficiencies or has failed to submit a plan six months after the date of initial notification under Subsection (c)(2) or (d), the center shall provide written notice to the school district stating that the district must hold a public hearing under Section 37.1081.

(h)  If a school district has failed to submit a plan, the notice required by Subsection (g) must state that the commissioner is authorized to appoint a conservator under Section 37.1082.

(i)  Any document or information collected, developed, or produced during the review and verification of multihazard emergency operations plans under this section is not subject to disclosure under Chapter 552, Government Code.

SECTION 16.  Section 37.2091(d), Education Code, is amended to read as follows:

(d)  The center shall verify the information provided by a person under Subsection (c) to confirm [~~registry is intended to serve only as an informational resource for school districts and institutions of higher education. The inclusion of a person in the registry is not an indication of~~] the person's qualifications and [~~or~~] ability to provide school safety or security consulting services before adding the person to the registry [~~or that the center endorses the person's school safety or security consulting services~~].

SECTION 17.  Subchapter G, Chapter 37, Education Code, is amended by adding Section 37.220 to read as follows:

Sec. 37.220.  MODEL THREAT ASSESSMENT TEAM POLICIES AND PROCEDURES. (a)  The center, in coordination with the agency, shall develop model policies and procedures to assist school districts in establishing and training threat assessment teams.

(b)  The model policies and procedures developed under Subsection (a) must include procedures, when appropriate, for:

(1)  the referral of a student to a local mental health authority or health care provider for evaluation or treatment;

(2)  the referral of a student for a full individual and initial evaluation for special education services under Section 29.004; and

(3)  a student or school personnel to anonymously report dangerous, violent, or unlawful activity that occurs or is threatened to occur on school property or that relates to a student or school personnel.

SECTION 18.  Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.036 to read as follows:

Sec. 38.036.  TRAUMA-INFORMED CARE POLICY. (a)  Each school district shall adopt and implement a policy requiring the integration of trauma-informed practices in each school environment. A district must include the policy in the district improvement plan required under Section 11.252.

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

(1)  using resources developed by the agency, methods for:

(A)  increasing staff and parent awareness of trauma-informed care; and

(B)  implementation of trauma-informed practices and care by district and campus staff; and

(2)  available counseling options for students affected by trauma or grief.

(c)  The methods under Subsection (b)(1) for increasing awareness and implementation of trauma-informed care must include training as provided by this subsection. The training must be provided:

(1)  through a program selected from the list of recommended best practice-based programs and research-based practices established under Section 161.325, Health and Safety Code;

(2)  as part of any new employee orientation for all new school district educators; and

(3)  to existing school district educators on a schedule adopted by the agency by rule that requires educators to be trained at intervals necessary to keep educators informed of developments in the field.

(d)  For any training under Subsection (c), each school district shall maintain records that include the name of each district staff member who participated in the training.

(e)  Each school district shall report annually to the agency the following information for the district as a whole and for each school campus:

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

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

(f)  If a school district determines that the district does not have sufficient resources to provide the training required under Subsection (c), the district may partner with a community mental health organization to provide training that meets the requirements of Subsection (c) at no cost to the district.

(g)  The commissioner shall adopt rules as necessary to administer this section.

SECTION 19.  Chapter 38, Education Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. MENTAL HEALTH RESOURCES

Sec. 38.251.  RUBRIC TO IDENTIFY RESOURCES. (a)  The agency shall develop a rubric for use by regional education service centers in identifying resources related to student mental health that are available to schools in their respective regions. The agency shall develop the rubric in conjunction with:

(1)  the Health and Human Services Commission;

(2)  the Department of Family and Protective Services;

(3)  the Texas Juvenile Justice Department;

(4)  the Texas Higher Education Coordinating Board;

(5)  the Texas Child Mental Health Care Consortium;

(6)  the Texas Workforce Commission; and

(7)  any other state agency the agency considers appropriate.

(b)  The rubric developed by the agency must provide for the identification of resources relating to:

(1)  training and technical assistance on practices that support the mental health of students;

(2)  school-based programs that provide prevention or intervention services to students;

(3)  community-based programs that provide school-based or school-connected prevention or intervention services to students;

(4)  Communities In Schools programs described by Subchapter E, Chapter 33;

(5)  school-based mental health providers; and

(6)  public and private funding sources available to address the mental health of students.

(c)  Not later than December 1 of each odd-numbered year, the agency shall revise the rubric as necessary to reflect changes in resources that may be available to schools and provide the rubric to each regional education service center.

Sec. 38.252.  REGIONAL INVENTORY OF MENTAL HEALTH RESOURCES. (a)  Each regional education service center shall use the rubric developed under Section 38.251 to identify resources related to student mental health available to schools in the center's region, including evidence-based and promising programs and best practices, that:

(1)  create school environments that support the social, emotional, and academic development of students;

(2)  identify students who may need additional behavioral or mental health support before issues arise;

(3)  provide early, effective interventions to students in need of additional support;

(4)  connect students and their families to specialized services in the school or community when needed; and

(5)  assist schools in aligning resources necessary to address the mental health of students.

(b)  A regional education service center may consult with any entity the center considers necessary in identifying resources under Subsection (a), including:

(1)  school districts;

(2)  local mental health authorities;

(3)  community mental health services providers;

(4)  education groups;

(5)  hospitals; and

(6)  institutions of higher education.

(c)  Not later than March 1 of each even-numbered year, each regional education service center shall:

(1)  use the revised rubric received from the agency under Section 38.251 to identify, in the manner provided by this section, any additional resources that may be available to schools in the center's region; and

(2)  submit to the agency a report on resources identified through the process, including any additional resources identified under Subdivision (1).

Sec. 38.253.  STATEWIDE INVENTORY OF MENTAL HEALTH RESOURCES. (a)  The agency shall develop a list of statewide resources available to school districts to address the mental health of students, including:

(1)  training and technical assistance on practices that support the mental health of students;

(2)  school-based programs that provide prevention or intervention services to students;

(3)  community-based programs that provide school-based or school-connected prevention or intervention services to students;

(4)  school-based mental health providers; and

(5)  public and private funding sources available to address the mental health of students.

(b)  In developing the list required under Subsection (a), the agency shall collaborate with:

(1)  the Health and Human Services Commission;

(2)  the Department of Family and Protective Services;

(3)  the Texas Juvenile Justice Department;

(4)  the Texas Higher Education Coordinating Board;

(5)  the Texas Child Mental Health Care Consortium;

(6)  the Texas Workforce Commission;

(7)  one or more representatives of Communities In Schools programs described by Subchapter E, Chapter 33, who are designated by the Communities In Schools State Office;

(8)  hospitals or other health care providers;

(9)  community service providers;

(10)  parent, educator, and advocacy groups; and

(11)  any entity the agency determines can assist the agency in compiling the list.

(c)  The agency shall include on the list any resource available through an entity identified as a resource under Subsection (b), including an entity described by Subsection (b), that provides evidence-based and promising programs and best practices that:

(1)  create school environments that support the social, emotional, and academic development of students;

(2)  identify students who may need additional behavioral or mental health support before issues arise;

(3)  provide early, effective interventions to students in need of additional support; and

(4)  connect students and their families to specialized services in the school or community when needed.

(d)  The agency shall revise the list not later than March 1 of each even-numbered year.

Sec. 38.254.  STATEWIDE PLAN FOR STUDENT MENTAL HEALTH. (a)  The agency shall develop a statewide plan to ensure all students have access to adequate mental health resources. The agency shall include in the plan:

(1)  a description of any revisions made to the rubric required by Section 38.251;

(2)  the results of the most recent regional inventory of mental health resources required by Section 38.252, including any additional resources identified;

(3)  the results of the most recent statewide inventory of mental health resources required by Section 38.253, including any additional resources identified;

(4)  the agency's goals for student mental health access to be applied across the state, including goals relating to:

(A)  methods to objectively measure positive school climate;

(B)  increasing the availability of early, effective school-based or school-connected mental health interventions and resources for students in need of additional support; and

(C)  increasing the availability of referrals for students and families to specialized services for students in need of additional support outside the school;

(5)  a list of actions the commissioner may take without legislative action to help all districts reach the agency's goals described by the plan; and

(6)  recommendations to the legislature on methods to ensure that all districts can meet the agency's goals described in the plan through legislative appropriations or other action by the legislature.

(b)  In developing the agency's goals under Subsection (a)(4), the agency shall consult with any person the agency believes is necessary to the development of the goals, including:

(1)  educators;

(2)  mental health practitioners;

(3)  advocacy groups; and

(4)  parents.

(c)  The agency shall revise the plan not later than April 1 of each even-numbered year.

(d)  As soon as practicable after completing or revising the plan, the agency shall:

(1)  submit an electronic copy of the plan to the legislature;

(2)  post the plan on the agency's Internet website; and

(3)  hold public meetings in each regional education service center's region to present the statewide plan and shall provide an opportunity for public comment at each meeting.

Sec. 38.255.  AGENCY USE OF STATEWIDE PLAN. (a)  The agency shall use the statewide plan for student mental health required by Section 38.254 to develop and revise the agency's long-term strategic plan.

(b)  The agency shall use the recommendations to the legislature required by Section 38.254(a)(6) to develop each agency legislative appropriations request.

Sec. 38.256.  REPORTS TO LEGISLATURE. In addition to any other information required to be provided to the legislature under this chapter, not later than November 1 of each even-numbered year the agency shall provide to the legislature:

(1)  a description of any changes the agency has made to the rubric required by Section 38.251; and

(2)  an analysis of each region's progress toward meeting the agency's goals developed under Section 38.254.

SECTION 20.  Subchapter C, Chapter 42, Education Code, is amended by adding Section 42.168 to read as follows:

Sec. 42.168.  SCHOOL SAFETY ALLOTMENT. (a)  From funds appropriated for that purpose, the commissioner shall provide to a school district an annual allotment in the amount provided by appropriation for each student in average daily attendance.

(b)  Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1)  securing school facilities, including:

(A)  improvements to school infrastructure;

(B)  the use or installation of physical barriers; and

(C)  the purchase and maintenance of:

(i)  security cameras or other security equipment; and

(ii)  technology, including communications systems or devices, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

(2)  providing security for the district, including:

(A)  employing school district peace officers, private security officers, and school marshals; and

(B)  collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;

(3)  school safety and security training and planning, including:

(A)  active shooter and emergency response training;

(B)  prevention and treatment programs relating to addressing adverse childhood experiences; and

(C)  the prevention, identification, and management of emergencies and threats, including:

(i)  providing mental health personnel and support;

(ii)  providing behavioral health services; and

(iii)  establishing threat reporting systems; and

(4)  providing programs related to suicide prevention, intervention, and postvention.

(c)  A school district may use funds allocated under this section for equipment or software that is used for a school safety and security purpose and an instructional purpose, provided that the instructional use does not compromise the safety and security purpose of the equipment or software.

(d)  A school district that is required to take action under Chapter 41 to reduce its wealth per student to the equalized wealth level is entitled to a credit, in the amount of the allotments to which the district is to receive as provided by appropriation, against the total amount required under Section 41.093 for the district to purchase attendance credits.

(e)  The commissioner may adopt rules to implement this section.

SECTION 21.  Section 45.001(a), Education Code, is amended to read as follows:

(a)  The governing board of an independent school district, including the city council or commission that has jurisdiction over a municipally controlled independent school district, the governing board of a rural high school district, and the commissioners court of a county, on behalf of each common school district under its jurisdiction, may:

(1)  issue bonds for:

(A)  the construction, acquisition, and equipment of school buildings in the district;

(B)  the acquisition of property or the refinancing of property financed under a contract entered under Subchapter A, Chapter 271, Local Government Code, regardless of whether payment obligations under the contract are due in the current year or a future year;

(C)  the purchase of the necessary sites for school buildings; [~~and~~]

(D)  the purchase of new school buses;

(E)  the retrofitting of school buses with emergency, safety, or security equipment; and

(F)  the purchase or retrofitting of vehicles to be used for emergency, safety, or security purposes; and

(2)  [~~may~~] levy, pledge, assess, and collect annual ad valorem taxes sufficient to pay the principal of and interest on the bonds as or before the principal and interest become due, subject to Section 45.003.

SECTION 22.  Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 113 to read as follows:

CHAPTER 113. TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 113.0001.  DEFINITIONS. In this chapter:

(1)  "Community mental health provider" means an entity that provides mental health care services at a local level, including a local mental health authority.

(2)  "Consortium" means the Texas Child Mental Health Care Consortium.

(3)  "Executive committee" means the executive committee of the consortium.

SUBCHAPTER B. CONSORTIUM

Sec. 113.0051.  ESTABLISHMENT; PURPOSE. The Texas Child Mental Health Care Consortium is established to:

(1)  leverage the expertise and capacity of the health-related institutions of higher education listed in Section 113.0052(1) to address urgent mental health challenges and improve the mental health care system in this state in relation to children and adolescents; and

(2)  enhance the state's ability to address mental health care needs of children and adolescents through collaboration of the health-related institutions of higher education listed in Section 113.0052(1).

Sec. 113.0052.  COMPOSITION. The consortium is composed of:

(1)  the following health-related institutions of higher education:

(A)  Baylor College of Medicine;

(B)  Texas A&M University System Health Science Center;

(C)  Texas Tech University Health Sciences Center;

(D)  Texas Tech University Health Sciences Center at El Paso;

(E)  University of North Texas Health Science Center at Fort Worth;

(F)  The Dell Medical School at The University of Texas at Austin;

(G)  The University of Texas M.D. Anderson Cancer Center;

(H)  The University of Texas Medical Branch at Galveston;

(I)  The University of Texas Health Science Center at Houston;

(J)  The University of Texas Health Science Center at San Antonio;

(K)  The University of Texas Rio Grande Valley School of Medicine;

(L)  The University of Texas Health Science Center at Tyler; and

(M)  The University of Texas Southwestern Medical Center;

(2)  the commission;

(3)  the Texas Higher Education Coordinating Board;

(4)  three nonprofit organizations that focus on mental health care, designated by a majority of the members described by Subdivision (1); and

(5)  any other entity that the executive committee considers necessary.

Sec. 113.0053.  ADMINISTRATIVE ATTACHMENT. The consortium is administratively attached to the Texas Higher Education Coordinating Board for the purpose of receiving and administering appropriations and other funds under this chapter. The board is not responsible for providing to the consortium staff, human resources, contract monitoring, purchasing, or any other administrative support services.

SUBCHAPTER C. EXECUTIVE COMMITTEE

Sec. 113.0101.  EXECUTIVE COMMITTEE COMPOSITION. (a)  The consortium is governed by an executive committee composed of the following members:

(1)  the chair of the academic department of psychiatry of each of the health-related institutions of higher education listed in Section 113.0052(1) or a licensed psychiatrist, including a child-adolescent psychiatrist, designated by the chair to serve in the chair's place;

(2)  a representative of the commission with expertise in the delivery of mental health care services, appointed by the executive commissioner;

(3)  a representative of the commission with expertise in mental health facilities, appointed by the executive commissioner;

(4)  a representative of the Texas Higher Education Coordinating Board, appointed by the commissioner of the coordinating board;

(5)  a representative of each nonprofit organization described by Section 113.0052(4) that is part of the consortium, designated by a majority of the members described by Subdivision (1);

(6)  a representative of a hospital system in this state, designated by a majority of the members described by Subdivision (1); and

(7)  any other representative designated:

(A)  under Subsection (b); or

(B)  by a majority of the members described by Subdivision (1) at the request of the executive committee.

(b)  The president of each of the health-related institutions of higher education listed in Section 113.0052(1) may designate a representative to serve on the executive committee.

Sec. 113.0102.  VACANCY. A vacancy on the executive committee shall be filled in the same manner as the original appointment.

Sec. 113.0103.  PRESIDING OFFICER. The executive committee shall elect a presiding officer from among the membership of the executive committee.

Sec. 113.0104.  STATEWIDE BEHAVIORAL HEALTH COORDINATING COUNCIL. The consortium shall designate a member of the executive committee to represent the consortium on the statewide behavioral health coordinating council.

Sec. 113.0105.  GENERAL DUTIES. The executive committee shall:

(1)  coordinate the provision of funding to the health-related institutions of higher education listed in Section 113.0052(1) to carry out the purposes of this chapter;

(2)  establish procedures and policies for the administration of funds under this chapter;

(3)  monitor funding and agreements entered into under this chapter to ensure recipients of funding comply with the terms and conditions of the funding and agreements; and

(4)  establish procedures to document compliance by executive committee members and staff with applicable laws governing conflicts of interest.

SUBCHAPTER D. ACCESS TO CARE

Sec. 113.0151.  CHILD PSYCHIATRY ACCESS NETWORK AND TELEMEDICINE AND TELEHEALTH PROGRAMS. (a)  The consortium shall establish a network of comprehensive child psychiatry access centers. A center established under this section shall:

(1)  be located at a health-related institution of higher education listed in Section 113.0052(1); and

(2)  provide consultation services and training opportunities for pediatricians and primary care providers operating in the center's geographic region to better care for children and youth with behavioral health needs.

(b)  The consortium shall establish or expand telemedicine or telehealth programs for identifying and assessing behavioral health needs and providing access to mental health care services. The consortium shall implement this subsection with a focus on the behavioral health needs of at-risk children and adolescents.

(c)  A health-related institution of higher education listed in Section 113.0052(1) may enter into a memorandum of understanding with a community mental health provider to:

(1)  establish a center under Subsection (a); or

(2)  establish or expand a program under Subsection (b).

(d)  The consortium shall leverage the resources of a hospital system under Subsection (a) or (b) if the hospital system:

(1)  provides consultation services and training opportunities for pediatricians and primary care providers that are consistent with those described by Subsection (a); and

(2)  has an existing telemedicine or telehealth program for identifying and assessing the behavioral health needs of and providing access to mental health care services for children and adolescents.

Sec. 113.0152.  CONSENT REQUIRED FOR SERVICES TO MINOR. (a)  A person may provide mental health care services to a child younger than 18 years of age through a program established under this subchapter only if the person obtains the written consent of the parent or legal guardian of the child.

(b)  The consortium shall develop and post on its Internet website a model form for a parent or legal guardian to provide consent under this section.

(c)  This section does not apply to services provided by a school counselor in accordance with Section 33.005, 33.006, or 33.007, Education Code.

Sec. 113.0153.  REIMBURSEMENT FOR SERVICES. A child psychiatry access center established under Section 113.0151(a) may not submit an insurance claim or charge a pediatrician or primary care provider a fee for providing consultation services or training opportunities under this section.

SUBCHAPTER E. CHILD MENTAL HEALTH WORKFORCE

Sec. 113.0201.  CHILD PSYCHIATRY WORKFORCE EXPANSION. (a)  The executive committee may provide funding to a health-related institution of higher education listed in Section 113.0052(1) for the purpose of funding:

(1)  two full-time psychiatrists who treat children and adolescents to serve as academic medical director at a facility operated by a community mental health provider; and

(2)  two new resident rotation positions.

(b)  An academic medical director described by Subsection (a) shall collaborate and coordinate with a community mental health provider to expand the amount and availability of mental health care resources by developing training opportunities for residents and supervising residents at a facility operated by the community mental health provider.

(c)  An institution of higher education that receives funding under Subsection (a) shall require that psychiatric residents participate in rotations through the facility operated by the community mental health provider in accordance with Subsection (b).

Sec. 113.0202.  CHILD AND ADOLESCENT PSYCHIATRY FELLOWSHIP. (a)  The executive committee may provide funding to a health-related institution of higher education listed in Section 113.0052(1) for the purpose of funding a physician fellowship position that will lead to a medical specialty in the diagnosis and treatment of psychiatric and associated behavioral health issues affecting children and adolescents.

(b)  The funding provided to a health-related institution of higher education under this section must be used to increase the number of fellowship positions at the institution and may not be used to replace existing funding for the institution.

SUBCHAPTER F. MISCELLANEOUS PROVISIONS

Sec. 113.0251.  BIENNIAL REPORT. Not later than December 1 of each even-numbered year, the consortium shall prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committee of each house of the legislature with primary jurisdiction over behavioral health issues and post on its Internet website a written report that outlines:

(1)  the activities and objectives of the consortium;

(2)  the health-related institutions of higher education listed in Section 113.0052(1) that receive funding by the executive committee; and

(3)  any legislative recommendations based on the activities and objectives described by Subdivision (1).

Sec. 113.0252.  APPROPRIATION CONTINGENCY. The consortium is required to implement a provision of this chapter only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the consortium may, but is not required to, implement a provision of this chapter.

SECTION 23.  Section 161.325(d), Health and Safety Code, is amended to read as follows:

(d)  A school district may develop practices and procedures concerning each area listed in Subsection (a-1), including mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention, that:

(1)  include a procedure for providing educational material to all parents and families in the district that contains information on identifying risk factors, accessing resources for treatment or support provided on and off campus, and accessing available student accommodations provided on campus;

(2)  include a procedure for providing notice of a recommendation for early mental health or substance abuse intervention regarding a student to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs as described by Subsection (b)(2);

(3) [~~(2)~~]  include a procedure for providing notice of a student identified as at risk of committing suicide to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs as described by Subsection (b)(2);

(4) [~~(3)~~]  establish that the district may develop a reporting mechanism and may designate at least one person to act as a liaison officer in the district for the purposes of identifying students in need of early mental health or substance abuse intervention or suicide prevention; and

(5) [~~(4)~~]  set out available counseling alternatives for a parent or guardian to consider when their child is identified as possibly being in need of early mental health or substance abuse intervention or suicide prevention.

SECTION 24.  Section 1701.263(b), Occupations Code, is amended to read as follows:

(b)  The commission by rule shall require a school district peace officer or a school resource officer who is commissioned by or who provides law enforcement at a school district [~~with an enrollment of 30,000 or more students~~] to successfully complete an education and training program described by this section before or within 180 [~~120~~] days of the officer's commission by or placement in the district or a campus of the district. The program must:

(1)  consist of at least 16 hours of training;

(2)  be approved by the commission; and

(3)  provide training in accordance with the curriculum developed under Section 1701.262 in each subject area listed in Subsection (c) of that section.

SECTION 25.  From funds appropriated for that purpose, the commissioner of education shall establish and administer a grant program to award grants to local education agencies to improve and maintain student and school safety.

SECTION 26.  Not later than January 1, 2020:

(1)  the Texas School Safety Center shall:

(A)  develop a list of best practices for ensuring the safety of public school students receiving instruction in portable buildings; and

(B)  provide information regarding the list of best practices to school districts using portable buildings for student instruction;

(2)  the commissioner of education shall adopt or amend rules as required by Section 7.061, Education Code, as added by this Act; and

(3)  the commissioner of education, in consultation with the Texas School Safety Center and the state fire marshal, shall adopt rules as required by Section 37.114, Education Code, as added by this Act.

SECTION 27.  (a)  Not later than December 1, 2019, the Texas Education Agency shall develop and distribute to each regional education service center the rubric required by Section 38.251, Education Code, as added by this Act.

(b)  Not later than March 1, 2020:

(1)  each regional education service center shall complete the regional inventory of mental health resources required by Section 38.252, Education Code, as added by this Act, and report to the Texas Education Agency on the resources identified through the inventory; and

(2)  the Texas Education Agency shall complete the statewide inventory of mental health resources required by Section 38.253, Education Code, as added by this Act, and develop a list of resources available to school districts statewide to address the mental health of students.

(c)  Not later than April 1, 2020, the Texas Education Agency shall develop the statewide plan for student mental health required by Section 38.254, Education Code, as added by this Act, submit an electronic copy of the plan to the legislature, and post the plan on the agency's Internet website.

SECTION 28.  As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission, the commissioner of the Texas Higher Education Coordinating Board, and the members of the executive committee described by Section 113.0101(a)(1), Health and Safety Code, as added by this Act, shall make the appointments and designations required by Section 113.0101, Health and Safety Code, as added by this Act.

SECTION 29.  (a)  Notwithstanding Section 1701.263(b), Occupations Code, as amended by this Act, a school district peace officer or school resource officer who commences employment with or commences providing law enforcement at a school district with an enrollment of fewer than 30,000 students on a date occurring before September 1, 2019, shall complete the training required by Section 1701.263, Occupations Code, as amended by this Act, as soon as practicable and not later than August 31, 2020. This subsection does not apply to an officer who is exempt from the training established under Section 1701.263, Occupations Code, as amended by this Act, because the officer has completed the training described by Subsection (b-1) of that section.

(b)  Not later than October 1, 2019, a school district with an enrollment of fewer than 30,000 students shall adopt the training policy for school district peace officers and school resource officers required by Section 37.0812, Education Code, as amended by this Act.

SECTION 30.  Sections 28.002 and 28.004(c), Education Code, as amended by this Act, apply beginning with the 2019-2020 school year.

SECTION 31.  The Texas Education Agency and the Texas School Safety Center are required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the Texas Education Agency or the Texas School Safety Center may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

SECTION 32.  To the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 33.  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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I hereby certify that S.B. No. 11 passed the Senate on April 29, 2019, by the following vote:  Yeas 29, Nays 2; May 23, 2019, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 23, 2019, House granted request of the Senate; May 26, 2019, Senate adopted Conference Committee Report by the following vote:  Yeas 30, Nays 1.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Secretary of the Senate

I hereby certify that S.B. No. 11 passed the House, with amendments, on May 22, 2019, by the following vote:  Yeas 135, Nays 7, three present not voting; May 23, 2019, House granted request of the Senate for appointment of Conference Committee; May 26, 2019, House adopted Conference Committee Report by the following vote:  Yeas 137, Nays 8, one present not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Chief Clerk of the House

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_            Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor