86R5170 SOS-F

By:  Powell S.B. No. 992

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a collaborative task force to study certain public school mental health services.

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

SECTION 1.  Chapter 38, Education Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. COLLABORATIVE TASK FORCE ON PUBLIC SCHOOL MENTAL HEALTH SERVICES

Sec. 38.301.  DEFINITIONS. In this subchapter:

(1)  "Institution of higher education" has the meaning assigned by Section 61.003.

(2)  "Task force" means the Collaborative Task Force on Public School Mental Health Services.

Sec. 38.302.  ESTABLISHMENT. The Collaborative Task Force on Public School Mental Health Services is established to study and evaluate:

(1)  mental health services that are funded by competitive state grants and provided at a school district or open-enrollment charter school directly to:

(A)  a student enrolled in the district or school;

(B)  a parent or family member of or person standing in parental relation to a student enrolled in the district or school; or

(C)  an employee of the district or school; and

(2)  training provided to an educator employed by the district or school to provide the mental health services described by Subdivision (1).

Sec. 38.303.  MEMBERSHIP. (a) The task force is composed of:

(1)  the commissioner or the commissioner's designee; and

(2)  six additional members appointed by the commissioner as follows:

(A)  one parent of a student who is enrolled in a school district or open-enrollment charter school and receives the mental health services described by Section 38.302(1);

(B)  one person who provides the mental health services described by Section 38.302(1) or the training described by Section 38.302(2) and who is:

(i)  a licensed specialist in school psychology, as defined by Section 501.002, Occupations Code;

(ii)  a licensed professional counselor, as defined by Section 503.002, Occupations Code;

(iii)  a licensed clinical social worker, as defined by Section 505.002, Occupations Code; or

(iv)  a school counselor certified under Subchapter B, Chapter 21;

(C)  one person who is an administrator of a district or school that provides the mental health services described by Section 38.302(1) or the training described by Section 38.302(2);

(D)  one person who is a member of a foundation that invests in the mental health services described by Section 38.302(1) or the training described by Section 38.302(2); and

(E)  two persons, each of whom is an employee of an institution of higher education designated under Section 38.307.

(b)  Appointments to the task force shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

(c)  Chapter 2110, Government Code, does not apply to the task force.

Sec. 38.304.  OFFICERS. (a) The commissioner is designated as the interim presiding officer for purposes of calling and conducting the initial meeting of the task force.

(b)  The task force:

(1)  shall at its initial meeting select a presiding officer from among its members for the purpose of calling and conducting meetings; and

(2)  may select an assistant presiding officer and a secretary from among its members.

Sec. 38.305.  COMPENSATION; REIMBURSEMENT. A member of the task force may not receive compensation or reimbursement for service on the task force.

Sec. 38.306.  MEETINGS. (a) After its initial meeting, the task force shall meet at least twice each year at a time and place determined by the presiding officer.

(b)  The task force may meet at other times the task force considers appropriate. The presiding officer may call a meeting on the officer's own motion.

(c)  The task force may meet by teleconference.

Sec. 38.307.  SUPPORT SERVICES FOR TASK FORCE. (a) The commissioner shall designate one institution of higher education with experience in evaluating mental health services to serve as the lead institution for the task force. The institution designated under this subsection shall provide faculty, staff, and administrative support services to the task force as determined necessary by the task force to administer this subchapter.

(b)  The commissioner shall designate two institutions of higher education with experience in evaluating mental health services to assist the task force and the lead institution designated under Subsection (a) as determined necessary by the task force to administer this subchapter.

(c)  In making a designation under this section, the commissioner shall give preference to at least one predominantly black institution, as defined by 20 U.S.C. Section 1067q(c)(9).

(d)  On request of the task force, the agency, a school district, or an open-enrollment charter school shall provide information or other assistance to the task force.

Sec. 38.308.  DUTIES OF TASK FORCE. (a) The task force shall:

(1)  gather data on the race, ethnicity, gender, special education status, and geographic location of individuals who are provided the mental health services described by Section 38.302(1); and

(2)  study, evaluate, and make recommendations regarding the mental health services described by Section 38.302(1) and the training described by Section 38.302(2), including addressing:

(A)  the outcomes and the effectiveness of the services and training provided, including the outcomes and effectiveness of the service and training providers and the programs under which services and training are provided, in:

(i)  improving student academic achievement and attendance;

(ii)  reducing student disciplinary proceedings, suspensions, placements in a disciplinary alternative education program, and expulsions;

(iii)  providing early mental health prevention and intervention;

(iv)  building skills relating to managing emotions, establishing and maintaining positive relationships, and making responsible decisions;

(v)  preventing substance abuse;

(vi)  preventing suicides;

(vii)  adhering to the purpose of the relevant program services or training;

(viii)  promoting trauma-informed practices; and

(ix)  promoting a positive school climate, including improving safety in the district or school;

(B)  best practices for districts and schools in providing the services or training; and

(C)  disparities in the race, ethnicity, gender, special education status, and geographic location of individuals receiving the services.

(b)  The task force may evaluate mental health services funded from a source other than a competitive grant that are provided to students enrolled in a school district or open-enrollment charter school.

Sec. 38.309.  REPORTS. Not later than November 1 of each even-numbered year, the task force shall submit to the governor, the lieutenant governor, and the speaker of the house of representatives a report of the results of the task force's activities conducted under Section 38.308 and any recommendations for legislative or other action.

Sec. 38.310.  GIFTS AND GRANTS; ADMINISTRATIVE COST RESTRICTION. (a) The task force may accept a gift or grant from a private individual, a foundation, or the federal government.

(b)  The task force may not spend for the administration of the task force more than 10 percent of any money appropriated to the task force for the purpose of this subchapter.

Sec. 38.311.  EXPIRATION. The task force is abolished and this subchapter expires December 1, 2022.

SECTION 2.  Not later than October 1, 2019, the commissioner of education shall:

(1)  appoint the members of the Collaborative Task Force on Public School Mental Health Services, as required by Section 38.303, Education Code, as added by this Act; and

(2)  designate the institutions of higher education to provide support services, as required by Section 38.307, Education Code, as added by this Act.

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.