By:  Menéndez, et al. S.B. No. 1390

A BILL TO BE ENTITLED

AN ACT

relating to suicide prevention in public school curriculum and certain educational programs concerning suicide prevention and substance abuse prevention.

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 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 at least once every five years [~~on a schedule adopted by the agency by rule~~].

SECTION 2.  Section 28.002, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) 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 on 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.

(a-1)  In adopting the essential knowledge and skills for the health curriculum under Subsection (a)(2)(B), the State Board of Education shall adopt essential knowledge and skills that address:

(1)  the relationship between drug and alcohol use and suicide;

(2)  recognizing signs of suicidal tendencies and other warning signs of suicide;

(3)  the risk of suicide or violent behavior as a side effect of psychotropic medication; and

(4)  help-seeking behaviors and available community suicide prevention services.

SECTION 3.  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.

(o)  The local school health advisory council shall make policy recommendations to the district to increase:

(1)  parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services; and

(2)  school personnel awareness of risks and side effects associated with psychotropic medications, with particular attention to suicidal thoughts or actions, agitation, aggression, hostility, mania, akathisia, and other risks and side effects that may be associated with violent or self-harming behavior.

SECTION 4.  Section 161.325(a-1), Health and Safety Code, as amended by Chapter 714 (H.B. 4056) and Chapter 522 (S.B. 179), 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 prevention and intervention;

(2)  [~~mental health promotion;~~

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

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

[~~(5)~~]  suicide prevention, intervention, and postvention;

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

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

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

(7) [~~(9)~~]  safe, [~~and~~] supportive, and positive school climate.

SECTION 5.  Section 161.325, Health and Safety Code, is amended by adding Subsection (a-4) and amending Subsections (b) and (d) to read as follows:

(a-4)  In this section, "postvention" includes activities that promote healing necessary to reduce the risk of suicide by a person affected by the suicide of another.

(b)  The suicide prevention programs 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 at risk of committing suicide, including students who are or may be the victims of or who engage in bullying;

(2)  recognize students displaying early warning signs 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 Subdivision (1) or (2) 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; and

(4)  assist students in returning to school following treatment of a mental health concern or suicide attempt.

(d)  A school district shall [~~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 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);

(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);

(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~~]

(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; and

(5)  include procedures:

(A)  to support the return of a student to school following hospitalization or residential treatment for a mental health condition or substance abuse; and

(B)  for suicide prevention, intervention, and postvention.

SECTION 6.  This Act takes effect September 1, 2019.