

1-1 By: Price, et al. (Senate Sponsor - Watson, West) H.B. No. 18  
 1-2 (In the Senate - Received from the House April 16, 2019;  
 1-3 April 17, 2019, read first time and referred to Committee on  
 1-4 Education; May 10, 2019, reported favorably by the following vote:  
 1-5 Yeas 7, Nays 4; May 10, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt		X		
1-10 Campbell	X			
1-11 Fallon		X		
1-12 Hall		X		
1-13 Hughes		X		
1-14 Paxton	X			
1-15 Powell	X			
1-16 Watson	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to consideration of the mental health of public school  
 1-22 students in training requirements for certain school employees,  
 1-23 curriculum requirements, counseling programs, educational  
 1-24 programs, state and regional programs and services, and health care  
 1-25 services for students and to mental health first aid program  
 1-26 training and reporting regarding local mental health authority and  
 1-27 school district personnel.

1-28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-29 ARTICLE 1. MENTAL HEALTH OF STUDENTS IN PUBLIC SCHOOLS

1-30 SECTION 1.01. Section 5.001, Education Code, is amended by  
 1-31 amending Subdivision (5-a) and adding Subdivision (9) to read as  
 1-32 follows:

1-33 (5-a) "Mental health condition" means a persistent or  
 1-34 recurrent pattern of thoughts, feelings, or behaviors ~~[an illness,~~  
 1-35 ~~disease, or disorder, other than epilepsy, dementia, substance~~  
 1-36 ~~abuse, or intellectual disability,]~~ that:

1-37 (A) constitutes a mental illness, disease, or  
 1-38 disorder, other than or in addition to epilepsy, substance abuse,  
 1-39 or an intellectual disability; or

1-40 (B) [substantially] impairs a person's social,  
 1-41 emotional, or educational functioning and increases the risk of  
 1-42 developing a condition described by Paragraph (A) ~~[thought,~~  
 1-43 ~~perception of reality, emotional process, or judgment, or~~

1-44 ~~[(B) grossly impairs behavior as demonstrated by~~  
 1-45 ~~recent disturbed behavior].~~

1-46 (9) "Substance abuse" means a patterned use of a  
 1-47 substance, including a controlled substance, as defined by Chapter  
 1-48 481, Health and Safety Code, and alcohol, in which the person  
 1-49 consumes the substance in amounts or with methods that are harmful  
 1-50 to the person's self or to others.

1-51 SECTION 1.02. Section 11.252(a), Education Code, is amended  
 1-52 to read as follows:

1-53 (a) Each school district shall have a district improvement  
 1-54 plan that is developed, evaluated, and revised annually, in  
 1-55 accordance with district policy, by the superintendent with the  
 1-56 assistance of the district-level committee established under  
 1-57 Section 11.251. The purpose of the district improvement plan is to  
 1-58 guide district and campus staff in the improvement of student  
 1-59 performance for all student groups in order to attain state  
 1-60 standards in respect to the achievement indicators adopted under  
 1-61 Section 39.053(c). The district improvement plan must include

2-1 provisions for:

2-2 (1) a comprehensive needs assessment addressing

2-3 district student performance on the achievement indicators, and

2-4 other appropriate measures of performance, that are disaggregated

2-5 by all student groups served by the district, including categories

2-6 of ethnicity, socioeconomic status, sex, and populations served by

2-7 special programs, including students in special education programs

2-8 under Subchapter A, Chapter 29;

2-9 (2) measurable district performance objectives for

2-10 all appropriate achievement indicators for all student

2-11 populations, including students in special education programs

2-12 under Subchapter A, Chapter 29, and other measures of student

2-13 performance that may be identified through the comprehensive needs

2-14 assessment;

2-15 (3) strategies for improvement of student performance

2-16 that include:

2-17 (A) instructional methods for addressing the

2-18 needs of student groups not achieving their full potential;

2-19 (B) evidence-based practices that address

2-20 ~~[methods for addressing]~~ the needs of students for special

2-21 programs, including:

2-22 (i) suicide prevention programs, in

2-23 accordance with Subchapter G ~~[0-1]~~, Chapter 38 ~~[161, Health and~~

2-24 ~~Safety Code]~~, which include ~~[includes]~~ a parental or guardian

2-25 notification procedure;

2-26 (ii) conflict resolution programs;

2-27 (iii) violence prevention programs; and

2-28 (iv) dyslexia treatment programs;

2-29 (C) dropout reduction;

2-30 (D) integration of technology in instructional

2-31 and administrative programs;

2-32 (E) positive behavior interventions and support,

2-33 including interventions and support that integrate best practices

2-34 on grief-informed and trauma-informed care ~~[discipline~~

2-35 ~~management]~~;

2-36 (F) staff development for professional staff of

2-37 the district;

2-38 (G) career education to assist students in

2-39 developing the knowledge, skills, and competencies necessary for a

2-40 broad range of career opportunities; ~~and]~~

2-41 (H) accelerated education; and

2-42 (I) implementation of a comprehensive school

2-43 counseling program under Section 33.005;

2-44 (4) strategies for providing to elementary school,

2-45 middle school, junior high school, and high school students, those

2-46 students' teachers and school counselors, and those students'

2-47 parents information about:

2-48 (A) higher education admissions and financial

2-49 aid opportunities, including state financial aid opportunities

2-50 such as ~~[+]~~

2-51 ~~[(B)]~~ the TEXAS grant program and the Teach for

2-52 Texas grant program established under Chapter 56;

2-53 (B) ~~[(C)]~~ the need for students to make informed

2-54 curriculum choices to be prepared for success beyond high school;

2-55 and

2-56 (C) ~~[(D)]~~ sources of information on higher

2-57 education admissions and financial aid;

2-58 (5) resources needed to implement identified

2-59 strategies;

2-60 (6) staff responsible for ensuring the accomplishment

2-61 of each strategy;

2-62 (7) timelines for ongoing monitoring of the

2-63 implementation of each improvement strategy;

2-64 (8) formative evaluation criteria for determining

2-65 periodically whether strategies are resulting in intended

2-66 improvement of student performance; and

2-67 (9) the policy under Section 38.0041 addressing sexual

2-68 abuse and other maltreatment of children.

2-69 SECTION 1.03. Section 21.044(c-1), Education Code, is

3-1 amended to read as follows:

3-2 (c-1) Any minimum academic qualifications for a certificate  
 3-3 specified under Subsection (a) that require a person to possess a  
 3-4 bachelor's degree must also require that the person receive, as  
 3-5 part of the training required to obtain that certificate,  
 3-6 instruction regarding mental health, substance abuse, and youth  
 3-7 suicide. The instruction required must:

3-8 (1) be provided through:

3-9 (A) a program selected from the list of  
 3-10 recommended best practice-based programs and research-based  
 3-11 practices established under Section 38.351; or

3-12 (B) a course offered by any accredited public or  
 3-13 private postsecondary educational institution as part of a degree  
 3-14 program ~~[161.325, Health and Safety Code]~~; and

3-15 (2) include effective strategies ~~[for teaching and~~  
 3-16 ~~intervening with students with mental or emotional disorders]~~,  
 3-17 including de-escalation techniques and positive behavioral  
 3-18 interventions and supports, for teaching and intervening with  
 3-19 students with mental health conditions or who engage in substance  
 3-20 abuse.

3-21 SECTION 1.04. Section 21.054, Education Code, is amended by  
 3-22 amending Subsections (d), (d-2), (e), (e-2), (f), and (g) and  
 3-23 adding Subsection (d-1) to read as follows:

3-24 (d) Continuing education requirements for a classroom  
 3-25 teacher must provide that at least ~~[not more than]~~ 25 percent of the  
 3-26 training required every five years include instruction regarding:

3-27 (1) collecting and analyzing information that will  
 3-28 improve effectiveness in the classroom;

3-29 (2) recognizing early warning indicators that a  
 3-30 student may be at risk of dropping out of school;

3-31 (3) digital learning, digital teaching, and  
 3-32 integrating technology into classroom instruction;

3-33 (4) educating diverse student populations, including:

3-34 (A) students who are eligible to participate in  
 3-35 special education programs under Subchapter A, Chapter 29 ~~[with~~  
 3-36 ~~disabilities, including mental health disorders]~~;

3-37 (B) students who are eligible to receive  
 3-38 educational services required under Section 504, Rehabilitation  
 3-39 Act of 1973 (29 U.S.C. Section 794);

3-40 (C) students with mental health conditions or who  
 3-41 engage in substance abuse;

3-42 (D) students with intellectual or developmental  
 3-43 disabilities;

3-44 (E) students who are educationally  
 3-45 disadvantaged;

3-46 (F) ~~[(C)]~~ students of limited English  
 3-47 proficiency; and

3-48 (G) ~~[(D)]~~ students at risk of dropping out of  
 3-49 school; ~~and~~

3-50 (5) understanding appropriate relationships,  
 3-51 boundaries, and communications between educators and students;  
 3-52 ~~and~~ ~~[-]~~

3-53 (6) ~~[(d-2) Continuing education requirements for a~~  
 3-54 ~~classroom teacher may include instruction regarding]~~ how mental  
 3-55 health conditions, including grief and trauma, affect student  
 3-56 learning and behavior and how evidence-based, grief-informed, and  
 3-57 trauma-informed strategies support the academic success of  
 3-58 students affected by grief and trauma.

3-59 (d-1) The instruction required under Subsection (d) may  
 3-60 include two or more listed topics together.

3-61 (d-2) The instruction required under Subsection (d)(6) must  
 3-62 be:

3-63 (1) based on relevant best practice-based programs and  
 3-64 research-based practices; and

3-65 (2) approved by the commissioner, in consultation with  
 3-66 the Health and Human Services Commission.

3-67 (e) Continuing education requirements for a principal must  
 3-68 provide that at least ~~[not more than]~~ 25 percent of the training  
 3-69 required every five years include instruction regarding:

4-1 (1) effective and efficient management, including:  
 4-2 (A) collecting and analyzing information;  
 4-3 (B) making decisions and managing time; and  
 4-4 (C) supervising student discipline and managing  
 4-5 behavior;  
 4-6 (2) recognizing early warning indicators that a  
 4-7 student may be at risk of dropping out of school;  
 4-8 (3) digital learning, digital teaching, and  
 4-9 integrating technology into campus curriculum and instruction;  
 4-10 (4) effective implementation of a comprehensive  
 4-11 school counseling program under Section 33.005;  
 4-12 (5) mental health programs addressing a mental health  
 4-13 condition;  
 4-14 (6) educating diverse student populations, including:  
 4-15 (A) students who are eligible to participate in  
 4-16 special education programs under Subchapter A, Chapter 29 [with  
 4-17 disabilities, including mental health disorders];  
 4-18 (B) students with intellectual or developmental  
 4-19 disabilities;  
 4-20 (C) students who are eligible to receive  
 4-21 educational services required under Section 504, Rehabilitation  
 4-22 Act of 1973 (29 U.S.C. Section 794);  
 4-23 (D) students with mental health conditions or who  
 4-24 engage in substance abuse;  
 4-25 (E) students who are educationally  
 4-26 disadvantaged;  
 4-27 (F) [~~(C)~~] students of limited English  
 4-28 proficiency; and  
 4-29 (G) [~~(D)~~] students at risk of dropping out of  
 4-30 school; [and]  
 4-31 (7) [~~(5)~~] preventing, recognizing, and reporting any  
 4-32 sexual conduct between an educator and student that is prohibited  
 4-33 under Section 21.12, Penal Code, or for which reporting is required  
 4-34 under Section 21.006 of this code; and [-]  
 4-35 (8) [~~(e-2) Continuing education requirements for a~~  
 4-36 ~~principal may include instruction regarding]~~ how mental health  
 4-37 conditions, including grief and trauma, affect student learning and  
 4-38 behavior and how evidence-based, grief-informed, and  
 4-39 trauma-informed strategies support the academic success of  
 4-40 students affected by grief and trauma.  
 4-41 (e-2) The instruction required under Subsection (e)(8) must  
 4-42 be:  
 4-43 (1) based on relevant best practice-based programs and  
 4-44 research-based practices; and  
 4-45 (2) approved by the commissioner, in consultation with  
 4-46 the Health and Human Services Commission.  
 4-47 (f) Continuing education requirements for a counselor must  
 4-48 provide that at least [not more than] 25 percent of training  
 4-49 required every five years include instruction regarding:  
 4-50 (1) assisting students in developing high school  
 4-51 graduation plans;  
 4-52 (2) implementing dropout prevention strategies; [and]  
 4-53 (3) informing students concerning:  
 4-54 (A) college admissions, including college  
 4-55 financial aid resources and application procedures; and  
 4-56 (B) career opportunities;  
 4-57 (4) counseling students concerning mental health  
 4-58 conditions and substance abuse, including through the use of  
 4-59 grief-informed and trauma-informed interventions and crisis  
 4-60 management and suicide prevention strategies; and  
 4-61 (5) effective implementation of a comprehensive  
 4-62 school counseling program under Section 33.005.  
 4-63 (g) The board shall adopt rules that allow an educator to  
 4-64 fulfill [up to 12 hours of] continuing education requirements by  
 4-65 participating in an evidence-based [a] mental health first aid  
 4-66 training program or an evidence-based grief-informed and  
 4-67 trauma-informed care program [offered by a local mental health  
 4-68 authority under Section 1001.203, Health and Safety Code]. The  
 4-69 rules adopted under this subsection must allow an educator to

5-1 complete a program described by this subsection and receive credit  
 5-2 toward continuing education requirements for twice the number of  
 5-3 hours of instruction provided under that program, not to exceed 16  
 5-4 hours. The program must be offered through a classroom instruction  
 5-5 format that requires in-person attendance. [The number of hours of  
 5-6 continuing education an educator may fulfill under this subsection  
 5-7 may not exceed the number of hours the educator actually spends  
 5-8 participating in a mental health first aid training program.]

5-9 SECTION 1.05. Sections 21.451(d) and (d-1), Education Code,  
 5-10 are amended to read as follows:

5-11 (d) The staff development:

5-12 (1) may include training in:

5-13 (A) technology;

5-14 (B) positive behavior intervention and support  
 5-15 [conflict resolution,  
 5-16 [~~(C)~~ discipline] strategies, including classroom  
 5-17 management, district discipline policies, and the student code of  
 5-18 conduct adopted under [Section 37.001 and] Chapter 37;

5-19 [~~(D)~~ preventing, identifying, responding to, and  
 5-20 reporting incidents of bullying,] and

5-21 (C) [~~(E)~~ digital learning;

5-22 (2) subject to Subsection (e) and to Section 21.3541  
 5-23 and rules adopted under that section, must include training that is  
 5-24 evidence-based, as defined by Section 8101, Every Student Succeeds  
 5-25 Act (20 U.S.C. Section 7801), and that:

5-26 (A) relates to instruction of students with  
 5-27 disabilities, including students with disabilities who also have  
 5-28 other intellectual or mental health conditions; and

5-29 (B) is designed for educators who work primarily  
 5-30 outside the area of special education; and

5-31 (3) must include [suicide prevention] training on:

5-32 (A) suicide prevention;

5-33 (B) recognizing signs of mental health  
 5-34 conditions and substance abuse;

5-35 (C) strategies for establishing and maintaining  
 5-36 positive relationships among students, including conflict  
 5-37 resolution;

5-38 (D) how grief and trauma affect student learning  
 5-39 and behavior and how evidence-based, grief-informed, and  
 5-40 trauma-informed strategies support the academic success of  
 5-41 students affected by grief and trauma; and

5-42 (E) preventing, identifying, responding to, and  
 5-43 reporting incidents of bullying.

5-44 (d-1) The training required by Subsection (d)(3):

5-45 (1) [that] must:

5-46 (A) be provided:

5-47 (i) [~~(A)~~ on an annual basis, as part of a  
 5-48 new employee orientation, to all new school district and  
 5-49 open-enrollment charter school educators; and

5-50 (ii) [~~(B)~~ to existing school district and  
 5-51 open-enrollment charter school educators on a schedule adopted by  
 5-52 the agency by rule; and~~[-]~~

5-53 (B) [~~(d-1) The suicide prevention training~~  
 5-54 required by Subsection (d)(3) must] use a best practice-based  
 5-55 program recommended by the Health and Human Services Commission  
 5-56 [Department of State Health Services] in coordination with the  
 5-57 agency under Section 38.351; and

5-58 (2) may include two or more listed topics together  
 5-59 [161.325, Health and Safety Code].

5-60 SECTION 1.06. Section 21.462, Education Code, is amended to  
 5-61 read as follows:

5-62 Sec. 21.462. RESOURCES REGARDING STUDENTS WITH MENTAL  
 5-63 HEALTH OR SUBSTANCE ABUSE CONDITIONS [NEEDS]. The agency, in  
 5-64 coordination with the Health and Human Services Commission, shall  
 5-65 establish and maintain an Internet website to provide resources for  
 5-66 school district or open-enrollment charter school employees  
 5-67 regarding working with students with mental health conditions or  
 5-68 who engage in substance abuse. The agency must include on the  
 5-69 Internet website information about:

- 6-1 (1) grief-informed and trauma-informed practices;
- 6-2 (2) building skills related to managing emotions,
- 6-3 establishing and maintaining positive relationships, and
- 6-4 responsible decision-making;
- 6-5 (3) positive behavior interventions and supports; and
- 6-6 (4) a safe and supportive school climate.

6-7 SECTION 1.07. Sections 28.002(a) and (r), Education Code,  
6-8 are amended to read as follows:

6-9 (a) Each school district that offers kindergarten through  
6-10 grade 12 shall offer, as a required curriculum:

- 6-11 (1) a foundation curriculum that includes:
- 6-12 (A) English language arts;
- 6-13 (B) mathematics;
- 6-14 (C) science; and
- 6-15 (D) social studies, consisting of Texas, United

6-16 States, and world history, government, economics, with emphasis on  
6-17 the free enterprise system and its benefits, and geography; and

- 6-18 (2) an enrichment curriculum that includes:
- 6-19 (A) to the extent possible, languages other than  
6-20 English;

6-21 (B) health, with emphasis on:  
6-22 (i) physical health, including the  
6-23 importance of proper nutrition and exercise; and

6-24 (ii) mental health, including instruction  
6-25 about mental health conditions, substance abuse, skills to manage  
6-26 emotions, establishing and maintaining positive relationships, and  
6-27 responsible decision-making;

6-28 (C) physical education;

6-29 (D) fine arts;

6-30 (E) career and technology education;

6-31 (F) technology applications;

6-32 (G) religious literature, including the Hebrew  
6-33 Scriptures (Old Testament) and New Testament, and its impact on  
6-34 history and literature; and

6-35 (H) personal financial literacy.

6-36 (r) In adopting the essential knowledge and skills for the  
6-37 health curriculum under Subsection (a)(2)(B), the State Board of  
6-38 Education shall adopt essential knowledge and skills that address  
6-39 the science, risk factors, causes, dangers, [causes,

6-40 consequences, signs, symptoms, and treatment of substance abuse,  
6-41 including the use of illegal drugs, abuse of prescription drugs,  
6-42 abuse of alcohol such as by binge drinking or other excessive  
6-43 drinking resulting in [and] alcohol poisoning, inhaling solvents,  
6-44 and other forms of substance abuse. The agency shall compile a list

6-45 of evidence-based substance abuse [alcohol] awareness programs  
6-46 from which a school district shall choose a program to use in the  
6-47 district's middle school, junior high school, and high school  
6-48 health curriculum. In this subsection, "evidence-based substance

6-49 abuse [alcohol] awareness program" means a program, practice, or  
6-50 strategy that has been proven to effectively prevent substance  
6-51 abuse [or delay alcohol use] among students, as determined by  
6-52 evaluations that are evidence-based [use valid and reliable  
6-53 measures and that are published in peer-reviewed journals].

6-54 SECTION 1.08. Sections 28.004(c), (d), and (k), Education  
6-55 Code, are amended to read as follows:

6-56 (c) The local school health advisory council's duties  
6-57 include recommending:

6-58 (1) the number of hours of instruction to be provided  
6-59 in:

6-60 (A) health education in kindergarten through  
6-61 grade eight; and

6-62 (B) if the school district requires health  
6-63 education for high school graduation, health education, including  
6-64 physical health education and mental health education, in grades 9  
6-65 through 12;

6-66 (2) policies, procedures, strategies, and curriculum  
6-67 appropriate for specific grade levels designed to prevent physical  
6-68 health concerns, including obesity, cardiovascular disease, Type 2  
6-69 diabetes, and mental health concerns through coordination of:

7-1 (A) health education, which must address  
 7-2 physical health concerns and mental health concerns to ensure the  
 7-3 integration of physical health education and mental health  
 7-4 education;  
 7-5 (B) physical education and physical activity;  
 7-6 (C) nutrition services;  
 7-7 (D) parental involvement;  
 7-8 (E) instruction on substance abuse prevention  
 7-9 [to prevent the use of e-cigarettes, as defined by Section 161.081,  
 7-10 Health and Safety Code, and tobacco];  
 7-11 (F) school health services, including mental  
 7-12 health services;  
 7-13 (G) a comprehensive school counseling program  
 7-14 under Section 33.005 [and guidance services];  
 7-15 (H) a safe and healthy school environment; and  
 7-16 (I) school employee wellness;  
 7-17 (3) appropriate grade levels and methods of  
 7-18 instruction for human sexuality instruction;  
 7-19 (4) strategies for integrating the curriculum  
 7-20 components specified by Subdivision (2) with the following elements  
 7-21 in a coordinated school health program for the district:  
 7-22 (A) school health services, including physical  
 7-23 health services and mental health services, if provided at a campus  
 7-24 by the district or by a third party under a contract with the  
 7-25 district;  
 7-26 (B) a comprehensive school counseling program  
 7-27 under Section 33.005 [and guidance services];  
 7-28 (C) a safe and healthy school environment; and  
 7-29 (D) school employee wellness; and  
 7-30 (5) if feasible, joint use agreements or strategies  
 7-31 for collaboration between the school district and community  
 7-32 organizations or agencies.  
 7-33 (d) The board of trustees shall appoint at least five  
 7-34 members to the local school health advisory council. A majority of  
 7-35 the members must be persons who are parents of students enrolled in  
 7-36 the district and who are not employed by the district. One of those  
 7-37 members shall serve as chair or co-chair of the council. The board  
 7-38 of trustees also may appoint one or more persons from each of the  
 7-39 following groups or a representative from a group other than a group  
 7-40 specified under this subsection:  
 7-41 (1) classroom [public school] teachers employed by the  
 7-42 district;  
 7-43 (2) school counselors certified under Subchapter B,  
 7-44 Chapter 21, employed by the district;  
 7-45 (3) [public] school administrators employed by the  
 7-46 district;  
 7-47 (4) ~~(3)~~ district students;  
 7-48 (5) [4] health care professionals licensed or  
 7-49 certified to practice in this state, including medical or mental  
 7-50 health professionals;  
 7-51 (6) [5] the business community;  
 7-52 (7) [6] law enforcement;  
 7-53 (8) [7] senior citizens;  
 7-54 (9) [8] the clergy;  
 7-55 (10) [9] nonprofit health organizations; and  
 7-56 (11) [10] local domestic violence programs.  
 7-57 (k) A school district shall publish in the student handbook  
 7-58 and post on the district's Internet website, if the district has an  
 7-59 Internet website:  
 7-60 (1) a statement of the policies and procedures adopted  
 7-61 to promote the physical health and mental health of students, the  
 7-62 physical health and mental health resources available at each  
 7-63 campus, contact information for the nearest providers of essential  
 7-64 public health services under Chapter 121, Health and Safety Code,  
 7-65 and the contact information for the nearest local mental health  
 7-66 authority;  
 7-67 (2) a statement of the policies adopted to ensure that  
 7-68 elementary school, middle school, and junior high school students  
 7-69 engage in at least the amount and level of physical activity

8-1 required by Section 28.002(1);  
 8-2 (3) ~~[(2)]~~ a statement of:  
 8-3 (A) the number of times during the preceding year  
 8-4 the district's school health advisory council has met;  
 8-5 (B) whether the district has adopted and enforces  
 8-6 policies to ensure that district campuses comply with agency  
 8-7 vending machine and food service guidelines for restricting student  
 8-8 access to vending machines; and  
 8-9 (C) whether the district has adopted and enforces  
 8-10 policies and procedures that prescribe penalties for the use of  
 8-11 e-cigarettes, as defined by Section 38.006, and tobacco products by  
 8-12 students and others on school campuses or at school-sponsored or  
 8-13 school-related activities; ~~and~~  
 8-14 (4) ~~[(3)]~~ a statement providing notice to parents that  
 8-15 they can request in writing their child's physical fitness  
 8-16 assessment results at the end of the school year; and  
 8-17 (5) for each campus in the district, a statement of  
 8-18 whether the campus has a full-time nurse or full-time school  
 8-19 counselor.

8-20 SECTION 1.09. Section 30.002(b), Education Code, is amended  
 8-21 to read as follows:

8-22 (b) The agency shall:  
 8-23 (1) develop standards and guidelines for all special  
 8-24 education services for children with visual impairments that it is  
 8-25 authorized to provide or support under this code;  
 8-26 (2) supervise regional education service centers and  
 8-27 other entities in assisting school districts in serving children  
 8-28 with visual impairments more effectively;  
 8-29 (3) develop and administer special education services  
 8-30 for students with both serious visual and auditory impairments;  
 8-31 (4) evaluate special education services provided for  
 8-32 children with visual impairments by school districts and approve or  
 8-33 disapprove state funding of those services; and  
 8-34 (5) maintain an effective liaison between special  
 8-35 education programs provided for children with visual impairments by  
 8-36 school districts and related initiatives of the Health and Human  
 8-37 Services Commission ~~[Department of Assistive and Rehabilitative~~  
 8-38 ~~Services Division for Blind Services]~~, the Department of State  
 8-39 Health Services Mental Health and Substance Abuse Division, the  
 8-40 Texas Workforce Commission ~~[School for the Blind and Visually~~  
 8-41 ~~Impaired]~~, and other related programs, agencies, or facilities as  
 8-42 appropriate.

8-43 SECTION 1.10. Section 33.004(b), Education Code, is amended  
 8-44 to read as follows:

8-45 (b) Each school, before implementing a comprehensive school  
 8-46 ~~[and developmental guidance and]~~ counseling program under Section  
 8-47 33.005, shall annually conduct a preview of the program for parents  
 8-48 and guardians. All materials, including curriculum to be used  
 8-49 during the year, must be available for a parent or guardian to  
 8-50 preview during school hours. Materials or curriculum not included  
 8-51 in the materials available on the campus for preview may not be  
 8-52 used.

8-53 SECTION 1.11. Section 33.005, Education Code, is amended to  
 8-54 read as follows:

8-55 Sec. 33.005. COMPREHENSIVE SCHOOL ~~[DEVELOPMENTAL GUIDANCE~~  
 8-56 ~~AND]~~ COUNSELING PROGRAMS. (a) A school counselor shall work with  
 8-57 the school faculty and staff, students, parents, and the community  
 8-58 to plan, implement, and evaluate a comprehensive school  
 8-59 ~~[developmental guidance and]~~ counseling program that conforms to  
 8-60 the most recent edition of the Texas Model for Comprehensive School  
 8-61 Counseling Programs developed by the Texas Counseling Association.

8-62 (b) The school counselor shall design the program to  
 8-63 include:

8-64 (1) a guidance curriculum to help students develop  
 8-65 their full educational potential, including the student's  
 8-66 interests and career objectives;

8-67 (2) a responsive services component to intervene on  
 8-68 behalf of any student whose immediate personal concerns or problems  
 8-69 put the student's continued educational, career, personal, or

9-1 social development at risk;  
 9-2 (3) an individual planning system to guide a student  
 9-3 as the student plans, monitors, and manages the student's own  
 9-4 educational, career, personal, and social development; and

9-5 (4) system support to support the efforts of teachers,  
 9-6 staff, parents, and other members of the community in promoting the  
 9-7 educational, career, personal, and social development of students.

9-8 SECTION 1.12. Subchapter A, Chapter 38, Education Code, is  
 9-9 amended by adding Section 38.0101 to read as follows:

9-10 Sec. 38.0101. AUTHORITY TO EMPLOY OR CONTRACT WITH  
 9-11 NONPHYSICIAN MENTAL HEALTH PROFESSIONAL. (a) A school district  
 9-12 may employ or contract with one or more nonphysician mental health  
 9-13 professionals.

9-14 (b) In this section, "nonphysician mental health  
 9-15 professional" means:

9-16 (1) a psychologist licensed to practice in this state  
 9-17 and designated as a health-service provider;

9-18 (2) a registered nurse with a master's or doctoral  
 9-19 degree in psychiatric nursing;

9-20 (3) a licensed clinical social worker;

9-21 (4) a professional counselor licensed to practice in  
 9-22 this state; or

9-23 (5) a marriage and family therapist licensed to  
 9-24 practice in this state.

9-25 SECTION 1.13. Section 38.013(a), Education Code, is amended  
 9-26 to read as follows:

9-27 (a) The agency shall make available to each school district  
 9-28 one or more coordinated health programs [~~designed to prevent~~  
 9-29 ~~obesity, cardiovascular disease, oral diseases, and Type 2~~  
 9-30 ~~diabetes~~] in elementary school, middle school, and junior high  
 9-31 school [~~students~~]. Each program must provide for coordinating  
 9-32 education and services related to:

9-33 (1) physical health education, including programs  
 9-34 designed to prevent obesity, cardiovascular disease, oral  
 9-35 diseases, and Type 2 diabetes and programs designed to promote the  
 9-36 role of proper nutrition [oral health education];

9-37 (2) mental health education, including education  
 9-38 about mental health conditions, mental health well-being, skills to  
 9-39 manage emotions, establishing and maintaining positive  
 9-40 relationships, and responsible decision-making;

9-41 (3) substance abuse education, including education  
 9-42 about alcohol abuse, prescription drug abuse, and abuse of other  
 9-43 controlled substances;

9-44 (4) physical education and physical activity; and

9-45 (5) [~~(3) nutrition services, and~~

9-46 [~~(4)~~] parental involvement.

9-47 SECTION 1.14. Sections 38.016(a) and (c), Education Code,  
 9-48 are amended to read as follows:

9-49 (a) In this section:

9-50 (1) "Nonphysician mental health professional" has the  
 9-51 meaning assigned by Section 38.0101.

9-52 (2) "Parent" includes a guardian or other person  
 9-53 standing in parental relation.

9-54 (3) [~~(2)~~] "Psychotropic drug" means a substance that  
 9-55 is:

9-56 (A) used in the diagnosis, treatment, or  
 9-57 prevention of a disease or as a component of a medication; and

9-58 (B) intended to have an altering effect on  
 9-59 perception, emotion, or behavior.

9-60 (c) Subsection (b) does not:

9-61 (1) prevent an appropriate referral under the child  
 9-62 find system required under 20 U.S.C. Section 1412, as amended; [~~or~~]

9-63 (2) prohibit a school district employee, or an  
 9-64 employee of an entity with which the district contracts, who is a  
 9-65 registered nurse, advanced nurse practitioner, physician, or  
 9-66 nonphysician mental health professional licensed or certified to  
 9-67 practice in this state [or appropriately credentialed mental health  
 9-68 professional] from recommending that a child be evaluated by a  
 9-69 physician or nonphysician mental health professional [an

10-1 ~~appropriate medical practitioner]; or~~

10-2 (3) prohibit a school employee from discussing any  
10-3 aspect of a child's behavior or academic progress with the child's  
10-4 parent or another school district employee.

10-5 SECTION 1.15. Section 38.051(b), Education Code, is amended  
10-6 to read as follows:

10-7 (b) On the recommendation of an advisory council  
10-8 established under Section 38.058 or on the initiative of the board  
10-9 of trustees or the governing body of an open-enrollment charter  
10-10 school, a school district or open-enrollment charter school may  
10-11 establish a school-based health center at one or more campuses [~~in~~  
10-12 ~~the district]~~ to meet the health care needs of students and their  
10-13 families.

10-14 SECTION 1.16. Section 38.054, Education Code, is amended to  
10-15 read as follows:

10-16 Sec. 38.054. CATEGORIES OF SERVICES. The permissible  
10-17 categories of services are:

- 10-18 (1) family and home support;
- 10-19 (2) physical health care, including immunizations;
- 10-20 (3) dental health care;
- 10-21 (4) health education; [~~and~~
- 10-22 (5) preventive health strategies;
- 10-23 (6) treatment for mental health conditions; and
- 10-24 (7) treatment for substance abuse.

10-25 SECTION 1.17. Section 38.057(b), Education Code, is amended  
10-26 to read as follows:

10-27 (b) If it is determined that a student is in need of a  
10-28 referral for physical health services or mental health services,  
10-29 the staff of the center shall notify the person whose consent is  
10-30 required under Section 38.053 verbally and in writing of the basis  
10-31 for the referral. The referral may not be provided unless the  
10-32 person provides written consent for the type of service to be  
10-33 provided and provides specific written consent for each treatment  
10-34 occasion or for a course of treatment that includes multiple  
10-35 treatment occasions of the same type of service.

10-36 SECTION 1.18. Section 38.058, Education Code, is amended to  
10-37 read as follows:

10-38 Sec. 38.058. HEALTH EDUCATION AND HEALTH CARE ADVISORY  
10-39 COUNCIL. (a) The board of trustees of a school district or the  
10-40 governing body of an open-enrollment charter school may establish  
10-41 and appoint members to a local health education and health care  
10-42 advisory council to make recommendations to the district or school  
10-43 on the establishment of school-based health centers and to assist  
10-44 the district or school in ensuring that local community values are  
10-45 reflected in the operation of each center and in the provision of  
10-46 health education.

10-47 (b) A majority of the members of the council must be parents  
10-48 of students enrolled in the school district or open-enrollment  
10-49 charter school. In addition to the appointees who are parents of  
10-50 students, the board of trustees or governing body shall also  
10-51 appoint at least one person from each of the following groups:

- 10-52 (1) classroom teachers;
- 10-53 (2) school administrators;
- 10-54 (3) school counselors;
- 10-55 (4) [~~licensed~~] health care professionals licensed or  
10-56 certified to practice in this state;
- 10-57 (5) [~~(4)~~] the clergy;
- 10-58 (6) [~~(5)~~] law enforcement;
- 10-59 (7) [~~(6)~~] the business community;
- 10-60 (8) [~~(7)~~] senior citizens; and
- 10-61 (9) [~~(8)~~] students.

10-62 SECTION 1.19. Subchapter B, Chapter 38, Education Code, is  
10-63 amended by adding Section 38.0591 to read as follows:

10-64 Sec. 38.0591. ACCESS TO MENTAL HEALTH SERVICES. The  
10-65 agency, in cooperation with the Health and Human Services  
10-66 Commission, shall develop guidelines for school districts  
10-67 regarding:

- 10-68 (1) partnering with a local mental health authority  
10-69 and with community or other private mental health services

11-1 providers and substance abuse services providers to increase  
 11-2 student access to mental health services; and

11-3 (2) obtaining mental health services through the  
 11-4 medical assistance program under Chapter 32, Human Resources Code.

11-5 SECTION 1.20. Section 38.060(c), Education Code, is amended  
 11-6 to read as follows:

11-7 (c) The school district or open-enrollment charter school  
 11-8 [council] shall keep a record of efforts made to coordinate with  
 11-9 existing providers.

11-10 SECTION 1.21. Subchapter O-1, Chapter 161, Health and  
 11-11 Safety Code, as amended by Chapter 522 (S.B. 179) and Chapter 714  
 11-12 (H.B. 4056), Acts of the 85th Legislature, Regular Session, 2017,  
 11-13 is transferred to Chapter 38, Education Code, redesignated as  
 11-14 Subchapter G, Chapter 38, Education Code, reenacted, and amended to  
 11-15 read as follows:

11-16 SUBCHAPTER G [O-1]. MENTAL HEALTH, SUBSTANCE ABUSE, AND YOUTH  
 11-17 SUICIDE

11-18 Sec. 38.351 [161.325]. MENTAL HEALTH PROMOTION AND  
 11-19 INTERVENTION, SUBSTANCE ABUSE PREVENTION AND INTERVENTION, AND  
 11-20 SUICIDE PREVENTION. (a) The agency [department], in coordination  
 11-21 with the Health and Human Services Commission [Texas Education  
 11-22 Agency] and regional education service centers, shall provide and  
 11-23 annually update a list of recommended best practice-based programs  
 11-24 and research-based practices in the areas specified under  
 11-25 Subsection (c) [(a-1)] for implementation in public elementary,  
 11-26 junior high, middle, and high schools within the general education  
 11-27 setting.

11-28 (b) Each school district may select from the list provided  
 11-29 under Subsection (a) a program or programs appropriate for  
 11-30 implementation in the district.

11-31 (c) [(a-1)] The list provided under Subsection (a) must  
 11-32 include programs and practices in the following areas:

- 11-33 (1) early mental health prevention and intervention;
- 11-34 (2) building skills related to managing emotions,  
 11-35 establishing and maintaining positive relationships, and  
 11-36 responsible decision-making;

- 11-37 [(2) mental health promotion;]
- 11-38 (3) substance abuse prevention and intervention;
- 11-39 (4) [substance abuse intervention;
- 11-40 [(5)] suicide prevention, intervention, and  
 11-41 postvention;

- 11-42 (5) [(6) trauma-informed practices;
- 11-43 [(6)] grief-informed and trauma-informed practices;
- 11-44 (6) [(7) building skills related to managing  
 11-45 emotions, establishing and maintaining positive relationships, and  
 11-46 responsible decision-making;

- 11-47 [(7)] positive school climates; [and]
- 11-48 (7) [(8)] positive behavior interventions and  
 11-49 supports;

- 11-50 (8) [positive behavior interventions and supports  
 11-51 and] positive youth development; and

- 11-52 (9) safe, [and] supportive, and positive school  
 11-53 climate.

11-54 (d) [(a-2) The department, the Texas Education Agency, and  
 11-55 each regional education service center shall make the list easily  
 11-56 accessible on their websites.

11-57 [(a-3)] For purposes of Subsection (c) [(a-1)], "school  
 11-58 climate" means the quality and character of school life, including  
 11-59 interpersonal relationships, teaching and learning practices, and  
 11-60 organizational structures, as experienced by students enrolled in  
 11-61 the school district, parents of those students, and personnel  
 11-62 employed by the district.

11-63 (e) [(b)] The suicide prevention programs on the list  
 11-64 provided under Subsection (a) must include components that provide  
 11-65 for training school counselors, teachers, nurses, administrators,  
 11-66 and other staff, as well as law enforcement officers and social  
 11-67 workers who regularly interact with students, to:

- 11-68 (1) recognize students at risk of attempting  
 11-69 [committing] suicide, including students who are or may be the

12-1 victims of or who engage in bullying;

12-2 (2) recognize students displaying early warning signs  
12-3 and a possible need for early mental health or substance abuse  
12-4 intervention, which warning signs may include declining academic  
12-5 performance, depression, anxiety, isolation, unexplained changes  
12-6 in sleep or eating habits, and destructive behavior toward self and  
12-7 others; ~~and~~

12-8 (3) intervene effectively with students described by  
12-9 Subdivision (1) or (2) by providing notice and referral to a parent  
12-10 or guardian so appropriate action, such as seeking mental health or  
12-11 substance abuse services, may be taken by a parent or guardian; and

12-12 (4) assist students in returning to school following  
12-13 treatment of a mental health concern or suicide attempt.

12-14 (f) ~~(e)~~ In developing the list of best practice-based  
12-15 programs and research-based practices, the agency ~~[department]~~ and  
12-16 the Health and Human Services Commission ~~[Texas Education Agency]~~  
12-17 shall consider:

12-18 (1) any existing suicide prevention method developed  
12-19 by a school district; and

12-20 (2) any Internet or online course or program developed  
12-21 in this state or another state that is based on best practices  
12-22 recognized by the Substance Abuse and Mental Health Services  
12-23 Administration or the Suicide Prevention Resource Center.

12-24 (g) ~~(e-1)~~ Except as otherwise provided by this  
12-25 subsection, each school district shall provide training described  
12-26 in the components set forth under Subsection (e) ~~(b)~~ for  
12-27 teachers, school counselors, principals, and all other appropriate  
12-28 personnel. A school district is required to provide the training at  
12-29 an elementary school campus only to the extent that sufficient  
12-30 funding and programs are available. A school district may  
12-31 implement a program on the list to satisfy the requirements of this  
12-32 subsection.

12-33 (h) ~~(e-2)~~ If a school district provides the training  
12-34 under Subsection (g) ~~(e-1)~~:

12-35 (1) a school district employee described under that  
12-36 subsection must participate in the training at least one time; and

12-37 (2) the school district shall maintain records that  
12-38 include the name of each district employee who participated in the  
12-39 training.

12-40 (i) ~~(d)~~ A school district shall ~~[may]~~ develop practices  
12-41 and procedures concerning each area listed in Subsection (c)  
12-42 ~~(a-1)~~, including mental health promotion and intervention,  
12-43 substance abuse prevention and intervention, and suicide  
12-44 prevention, that:

12-45 (1) include a procedure for providing notice of a  
12-46 recommendation for early mental health or substance abuse  
12-47 intervention regarding a student to a parent or guardian of the  
12-48 student within a reasonable amount of time after the identification  
12-49 of early warning signs as described by Subsection (e)(2) ~~(b)(2)~~;

12-50 (2) include a procedure for providing notice of a  
12-51 student identified as at risk of attempting ~~[committing]~~ suicide to  
12-52 a parent or guardian of the student within a reasonable amount of  
12-53 time after the identification of early warning signs as described  
12-54 by Subsection (e)(2) ~~(b)(2)~~;

12-55 (3) establish that the district may develop a  
12-56 reporting mechanism and may designate at least one person to act as  
12-57 a liaison officer in the district for the purposes of identifying  
12-58 students in need of early mental health or substance abuse  
12-59 intervention or suicide prevention; ~~and~~

12-60 (4) set out available counseling alternatives for a  
12-61 parent or guardian to consider when their child is identified as  
12-62 possibly being in need of early mental health or substance abuse  
12-63 intervention or suicide prevention; and

12-64 (5) include procedures:

12-65 (A) to support the return of a student to school  
12-66 following hospitalization or residential treatment for a mental  
12-67 health condition or substance abuse; and

12-68 (B) for suicide prevention, intervention, and  
12-69 postvention.

13-1           (j) [~~(e)~~] The practices and procedures developed under  
 13-2 Subsection (i):  
 13-3           (1) may address multiple areas listed in Subsection  
 13-4 (c) together; and  
 13-5           (2) [~~(d)~~] must prohibit the use without the prior  
 13-6 consent of a student's parent or guardian of a medical screening of  
 13-7 the student as part of the process of identifying whether the  
 13-8 student is possibly in need of early mental health or substance  
 13-9 abuse intervention or suicide prevention.  
 13-10           (k) [~~(f)~~] The practices and procedures developed under  
 13-11 Subsection (i) [~~(d)~~] must be included in:  
 13-12           (1) the annual student handbook; and  
 13-13           (2) the district improvement plan under Section  
 13-14 11.252 [~~, Education Code~~].  
 13-15           (1) The agency shall develop and make available to school  
 13-16 districts guiding principles on the coordination of programs and  
 13-17 practices in areas listed under Subsection (c).  
 13-18           (m) [~~(g)~~] The agency, the Health and Human Services  
 13-19 Commission, and each regional education service center:  
 13-20           (1) [~~department~~] may accept donations for purposes of  
 13-21 this section from sources without a conflict of interest; and  
 13-22           (2) [~~The department~~] may not accept donations for  
 13-23 purposes of this section from an anonymous source.  
 13-24           (n) [~~(i)~~] Nothing in this section is intended to interfere  
 13-25 with the rights of parents or guardians and the decision-making  
 13-26 regarding the best interest of the child. Practices and procedures  
 13-27 developed in accordance with this section are intended to notify a  
 13-28 parent or guardian of a need for mental health or substance abuse  
 13-29 intervention so that a parent or guardian may take appropriate  
 13-30 action. Nothing in this section shall be construed as giving school  
 13-31 districts the authority to prescribe medications. Any and all  
 13-32 medical decisions are to be made by a parent or guardian of a  
 13-33 student.  
 13-34           (o) In this section, "postvention" includes activities that  
 13-35 promote healing necessary to reduce the risk of suicide by a person  
 13-36 affected by the suicide of another.  
 13-37           Sec. 38.352 [~~161.326~~]. IMMUNITY. This subchapter does not:  
 13-38           (1) waive any immunity from liability of a school  
 13-39 district or of district school officers or employees;  
 13-40           (2) create any liability for a cause of action against  
 13-41 a school district or against district school officers or employees;  
 13-42 or  
 13-43           (3) waive any immunity from liability under Section  
 13-44 74.151, Civil Practice and Remedies Code.  
 13-45           ARTICLE 2. MENTAL HEALTH FIRST AID PROGRAM TRAINING AND REPORTING  
 13-46           SECTION 2.01. Section 1001.205, Health and Safety Code, is  
 13-47 amended to read as follows:  
 13-48           Sec. 1001.205. REPORTS. (a) Not later than September 30 of  
 13-49 each year, a local mental health authority shall provide to the  
 13-50 department the number of:  
 13-51           (1) employees and contractors of the authority who  
 13-52 were trained as mental health first aid trainers under Section  
 13-53 1001.202 during the preceding fiscal year, the number of trainers  
 13-54 who left the program for any reason during the preceding fiscal  
 13-55 year, and the number of active trainers;  
 13-56           (2) university employees, school district employees,  
 13-57 and school resource officers who completed a mental health first  
 13-58 aid training program offered by the authority under Section  
 13-59 1001.203 during the preceding fiscal year categorized by local  
 13-60 mental health authority region, university or school district, as  
 13-61 applicable, and category of personnel; and  
 13-62           (3) individuals who are not university employees,  
 13-63 school district employees, or school resource officers who  
 13-64 completed a mental health first aid training program offered by the  
 13-65 authority during the preceding fiscal year.  
 13-66           (b) Not later than December 1 of each year, the department  
 13-67 shall compile the information submitted by local mental health  
 13-68 authorities as required by Subsection (a) and submit a report to the  
 13-69 legislature containing [~~the number of~~]:

14-1 (1) the number of authority employees and contractors  
 14-2 trained as mental health first aid trainers during the preceding  
 14-3 fiscal year, the number of trainers who left the program for any  
 14-4 reason during the preceding fiscal year, and the number of active  
 14-5 trainers;

14-6 (2) the number of university employees, school  
 14-7 district employees, and school resource officers who completed a  
 14-8 mental health first aid training program provided by an authority  
 14-9 during the preceding fiscal year categorized by local mental health  
 14-10 authority region, university or school district, as applicable, and  
 14-11 category of personnel; [and]

14-12 (3) the number of individuals who are not university  
 14-13 employees, school district employees, or school resource officers  
 14-14 who completed a mental health first aid training program provided  
 14-15 by an authority during the preceding fiscal year; and

14-16 (4) a detailed accounting of expenditures of money  
 14-17 appropriated for the purpose of implementing this subchapter.

14-18 (c) The department shall develop and provide to local mental  
 14-19 health authorities a form to be used for the reporting of  
 14-20 information required under Subsection (a), including the reporting  
 14-21 of each category of personnel described by that subsection.

14-22 SECTION 2.02. Subchapter H, Chapter 1001, Health and Safety  
 14-23 Code, is amended by adding Section 1001.207 to read as follows:

14-24 Sec. 1001.207. PROGRAM PROMOTION. (a) The commission shall  
 14-25 make available on its official Internet website information about  
 14-26 the mental health first aid training program for the purpose of  
 14-27 promoting public awareness of the program. An electronic link to an  
 14-28 outside source of information is not sufficient.

14-29 (b) The Texas Education Agency shall make available on its  
 14-30 official Internet website information about the mental health first  
 14-31 aid training program for the purpose of promoting public awareness  
 14-32 of the program. An electronic link to an outside source of  
 14-33 information is not sufficient.

14-34 ARTICLE 3. CONFORMING AMENDMENTS

14-35 SECTION 3.01. Section 74.151(e), Civil Practice and  
 14-36 Remedies Code, is amended to read as follows:

14-37 (e) Except as provided by this subsection, this section does  
 14-38 not apply to a person whose negligent act or omission was a  
 14-39 producing cause of the emergency for which care is being  
 14-40 administered. This subsection does not apply to liability of a  
 14-41 school district or district school officer or employee arising from  
 14-42 an act or omission under a program or practice [policy] or procedure  
 14-43 developed [adopted] under Subchapter G, Chapter 38, Education [0-1,  
 14-44 Chapter 161, Health and Safety] Code, other than liability arising  
 14-45 from wilful or intentional misconduct.

14-46 SECTION 3.02. Section 38.0141(a), Education Code, is  
 14-47 amended to read as follows:

14-48 (a) Each school district shall provide to the agency  
 14-49 information as required by the commissioner, including statistics  
 14-50 and data, relating to student health and physical activity and  
 14-51 information described by Sections 28.004(k)(2), (3), and (4)  
 14-52 [Section 28.004(k),] presented in a form determined by the  
 14-53 commissioner. The district shall provide the information required  
 14-54 by this subsection for the district and for each campus in the  
 14-55 district.

14-56 ARTICLE 4. REPEALER; TRANSITION; EFFECTIVE DATE

14-57 SECTION 4.01. The following provisions of the Education  
 14-58 Code are repealed:

- 14-59 (1) Section 21.463; and
- 14-60 (2) Section 28.002(w).

14-61 SECTION 4.02. (a) Not later than May 1, 2020:

14-62 (1) the State Board for Educator Certification shall  
 14-63 propose rules under Section 21.054, Education Code, to comply with  
 14-64 the changes in law made to that section by this Act; and

14-65 (2) the Texas Education Agency, in cooperation with  
 14-66 the Health and Human Services Commission, shall develop the  
 14-67 guidelines required by Section 38.0591, Education Code, as added by  
 14-68 this Act.

14-69 (b) Not later than August 1, 2020, the Texas Education

15-1 Agency, in coordination with the Health and Human Services  
15-2 Commission and regional education service centers, shall provide a  
15-3 list of recommended best practice-based programs as required by  
15-4 Section 38.351, Education Code, as transferred, redesignated,  
15-5 reenacted, and amended by this Act.

15-6 SECTION 4.03. Any change in law made by this Act that  
15-7 imposes a new duty or requirement on a school district or an  
15-8 open-enrollment charter school applies beginning with the  
15-9 2020-2021 school year.

15-10 SECTION 4.04. (a) Section 1001.205(a), Health and Safety  
15-11 Code, as amended by this Act, applies only to a report due under  
15-12 that subsection after December 31, 2019. A report due under that  
15-13 subsection before that date is governed by the law in effect  
15-14 immediately before the effective date of this Act, and that law is  
15-15 continued in effect for that purpose.

15-16 (b) Section 1001.205(b), Health and Safety Code, as amended  
15-17 by this Act, applies only to a report due under that subsection  
15-18 after March 1, 2020. A report due under that subsection before that  
15-19 date is governed by the law in effect immediately before the  
15-20 effective date of this Act, and that law is continued in effect for  
15-21 that purpose.

15-22 (c) Not later than May 1, 2020, the Health and Human  
15-23 Services Commission shall develop and make available the form  
15-24 required under Section 1001.205(c), Health and Safety Code, as  
15-25 added by this Act.

15-26 SECTION 4.05. Not later than March 1, 2020, the Health and  
15-27 Human Services Commission and the Texas Education Agency shall  
15-28 update their Internet websites to include the information required  
15-29 by Section 1001.207, Health and Safety Code, as added by this Act.

15-30 SECTION 4.06. This Act takes effect December 1, 2019.

15-31

\* \* \* \* \*