

By: Thompson of Harris, Phelan, Moody,
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H.B. No. 906

Substitute the following for H.B. No. 906:

By: Coleman

C.S.H.B. No. 906

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

9 Sec. 38.301. DEFINITIONS. In this subchapter:

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

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

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

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

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

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

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

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

4 (3) the impact the mental health services described by
5 Subdivision (1) have on:

6 (A) the physical and emotional safety and
7 well-being of the individuals who are provided the mental health
8 services described by Subdivision (1); and

9 (B) the number of violent incidents that occur at
10 school districts or open-enrollment charter schools.

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

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

14 (2) the following additional members appointed by the
15 commissioner:

16 (A) three parents of students who are enrolled in
17 school districts or open-enrollment charter schools and receive the
18 mental health services described by Section 38.302(1);

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

22 (i) a licensed professional counselor, as
23 defined by Section 503.002, Occupations Code;

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

26 (iii) a school counselor certified under
27 Subchapter B, Chapter 21;

1 (C) one person who is a psychiatrist;

2 (D) two persons who are administrators of
3 districts or schools that provide the mental health services
4 described by Section 38.302(1) or the training described by Section
5 38.302(2);

6 (E) one person who is a member of a foundation
7 that invests in the mental health services described by Section
8 38.302(1) or the training described by Section 38.302(2);

9 (F) one person who is an employee of an
10 institution of higher education designated under Section 38.307;
11 and

12 (G) one person who is a licensed specialist in
13 school psychology, as defined by Section 501.002, Occupations Code;
14 and

15 (3) for any other entity the task force considers
16 necessary, one person appointed by the task force for each such
17 entity.

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

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

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

26 (b) The task force:

27 (1) shall at its initial meeting select a presiding

1 officer from among its members for the purpose of calling and
2 conducting meetings; and

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

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

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

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

14 (c) The task force may meet by teleconference.

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

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

27 (c) In making a designation under this section, the

1 commissioner shall give preference to at least one predominantly
2 black institution, as defined by 20 U.S.C. Section 1067g(c)(9).

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

6 Sec. 38.308. DUTIES OF TASK FORCE. The task force shall:

7 (1) gather data on:

8 (A) the number of students enrolled in each
9 school district and open-enrollment charter school;

10 (B) the number of individuals to whom each school
11 district or open-enrollment charter school provides the mental
12 health services described by Section 38.302(1);

13 (C) the number of individuals for whom each
14 school district or open-enrollment charter school has the resources
15 to provide the mental health services described by Section
16 38.302(1); and

17 (D) the race, ethnicity, gender, special
18 education status, and geographic location of individuals who are
19 provided the mental health services described by Section 38.302(1);
20 and

21 (2) study, evaluate, and make recommendations
22 regarding the mental health services described by Section
23 38.302(1), the training described by Section 38.302(2), and the
24 impact of those mental health services, as described by Section
25 38.302(3), including addressing:

26 (A) the outcomes and the effectiveness of the
27 services and training provided, including the outcomes and

1 effectiveness of the service and training providers and the
2 programs under which services and training are provided, in:

3 (i) improving student academic achievement
4 and attendance;

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

8 (iii) providing prevention and
9 intervention services to promote early mental health;

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

13 (v) preventing substance abuse;

14 (vi) preventing suicides;

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

17 (viii) promoting trauma-informed
18 practices;

19 (ix) promoting a positive school climate,
20 as defined by Section 161.325(a-3), Health and Safety Code, in the
21 district or school; and

22 (x) improving physical and emotional safety
23 and well-being in the district or school and reducing violence in
24 the district or school;

25 (B) best practices for districts and schools in
26 implementing the services or training;

27 (C) disparities in the race, ethnicity, gender,

1 special education status, and geographic location of individuals
2 receiving the services; and

3 (D) best practices to replicate the services or
4 training for all districts and schools.

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

11 Sec. 38.310. FUNDING; ADMINISTRATIVE COST RESTRICTION;
12 GIFTS AND GRANTS. (a) Of state funds allocated to the agency for
13 public school mental health services, the commissioner may provide
14 not more than 10 percent for purposes of the task force established
15 under this subchapter.

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

19 (c) The task force may accept a gift or grant from a private
20 individual, a foundation, or the federal government.

21 Sec. 38.311. EXPIRATION. The task force is abolished and
22 this subchapter expires December 1, 2025.

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

25 (1) appoint the members of the Collaborative Task
26 Force on Public School Mental Health Services that are to be
27 appointed by the commissioner, as required by Section 38.303,

1 Education Code, as added by this Act; and

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

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2019.