

By: Talarico

H.B. No. 2997

A BILL TO BE ENTITLED

1 AN ACT
2 relating to suicide prevention training for certain public school
3 employees and public school mental health related programs and the
4 applicability of related immunity provisions.

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

6 SECTION 1. Section 21.451(d), Education Code, is amended to
7 read as follows:

8 (d) The staff development:

9 (1) may include training in:

10 (A) technology;

11 (B) conflict resolution;

12 (C) discipline strategies, including classroom
13 management, district discipline policies, and the student code of
14 conduct adopted under Section 37.001 and Chapter 37;

15 (D) preventing, identifying, responding to, and
16 reporting incidents of bullying; and

17 (E) digital learning;

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

22 (A) relates to instruction of students with
23 disabilities; and

24 (B) is designed for educators who work primarily

1 outside the area of special education; and

2 (3) must include suicide prevention training that must
3 be provided in accordance with Section 161.325, Health and Safety
4 Code~~[-~~

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

8 [~~(B) to existing school district and~~
9 ~~open-enrollment charter school educators on a schedule adopted by~~
10 ~~the agency by rule].~~

11 SECTION 2. Section 161.325, Health and Safety Code, is
12 amended by amending Subsections (a), (c-1), (c-2), and (d) and
13 adding Subsection (c-3) to read as follows:

14 (a) The department, in coordination with the Texas
15 Education Agency and regional education service centers, shall
16 provide and annually update a list of recommended best
17 practice-based programs and research-based practices in the areas
18 specified under Subsection (a-1) for implementation in public
19 elementary, junior high, middle, and high schools within the
20 general education setting. Each school district or open-enrollment
21 charter school may select from the list a program or programs
22 appropriate for implementation in the district or school.

23 (c-1) Each [~~Except as otherwise provided by this~~
24 ~~subsection, each~~] school district and open-enrollment charter
25 school shall provide each year training described in the components
26 set forth under Subsection (b) for an employee who regularly
27 interacts with students enrolled in the district or school

1 ~~[teachers, counselors, principals, and all other appropriate~~
2 ~~personnel. A school district is required to provide the training at~~
3 ~~an elementary school campus only to the extent that sufficient~~
4 ~~funding and programs are available].~~ A school district or
5 open-enrollment charter school must ~~may~~ implement a program on
6 the list to satisfy the requirements of this subsection.

7 (c-2) A ~~[If a school district provides the training under~~
8 ~~Subsection (c-1):~~

9 ~~[(1) a]~~ school district or open-enrollment charter
10 school employee described under Subsection (c-1) ~~[that subsection]~~
11 must participate each year in the training described in the
12 components set forth under Subsection (b) on a schedule adopted by
13 rule by the commissioner of education. An employee may satisfy the
14 training required through independent review of suicide prevention
15 training material that:

16 (1) complies with the guidelines developed by the
17 Texas Education Agency; and

18 (2) is offered online.

19 (c-3) A ~~[at least one time; and~~

20 ~~[(2) the]~~ school district or open-enrollment charter
21 school shall maintain records that include the name of each
22 district or school employee who participates ~~[participated]~~ in the
23 training under Subsection (c-1) or (c-2).

24 (d) A school district or open-enrollment charter school may
25 develop practices and procedures concerning each area listed in
26 Subsection (a-1), including mental health promotion and
27 intervention, substance abuse prevention and intervention, and

1 suicide prevention, that:

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

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

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

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

21 SECTION 3. Section 161.326, Health and Safety Code, is
22 amended to read as follows:

23 Sec. 161.326. IMMUNITY. This subchapter does not:

24 (1) waive any immunity from liability of a school
25 district or open-enrollment charter school or of the district or
26 school officers or employees;

27 (2) create any liability for a cause of action against

1 a school district or open-enrollment charter school or against the
2 district or school officers or employees; or

3 (3) waive any immunity from liability under Section
4 [74.151](#), Civil Practice and Remedies Code.

5 SECTION 4. Sections [21.451](#)(d-1) and (d-2), Education Code,
6 are repealed.

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