

By: Allison

H.B. No. 4414

A BILL TO BE ENTITLED

AN ACT

relating to identification and development of mental health resources for students.

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. MENTAL HEALTH RESOURCES

Sec. 38.251. RUBRIC TO IDENTIFY RESOURCES. (a) The agency shall develop a rubric for use by regional education service centers in identifying resources related to student mental health that are available to schools in their respective regions. The agency shall develop the rubric in conjunction with:

(1) the Health and Human Services Commission;

(2) the Department of Family and Protective Services;

(3) the Texas Juvenile Justice Department;

(4) the Texas Higher Education Coordinating Board;

(5) the Texas Workforce Commission; and

(6) any other state agency the agency considers appropriate.

(b) The rubric developed by the agency must provide for the identification of resources relating to:

(1) training and technical assistance on practices that support the mental health of students;

(2) school-based programs that provide prevention or

1 intervention services to students;

2 (3) community-based programs that provide  
3 school-based or school-connected prevention or intervention  
4 services to students;

5 (4) school-based mental health providers; and

6 (5) public and private funding sources available to  
7 address the mental health of students.

8 (c) Not later than December 1 of each odd-numbered year, the  
9 agency shall revise the rubric as necessary to reflect changes in  
10 resources that may be available to schools and provide the rubric to  
11 each regional education service center.

12 Sec. 38.252. REGIONAL INVENTORY OF MENTAL HEALTH RESOURCES.

13 (a) Each regional education service center shall use the rubric  
14 developed under Section 38.251 to identify resources related to  
15 student mental health available to schools in the center's region,  
16 including evidence-based and promising programs and best  
17 practices, that:

18 (1) create school environments that support the  
19 social, emotional, and academic development of students;

20 (2) identify students who may need additional  
21 behavioral or mental health support before issues arise;

22 (3) provide early, effective interventions to  
23 students in need of additional support;

24 (4) connect students and their families to specialized  
25 services in the school or community when needed; and

26 (5) assist schools in aligning resources necessary to  
27 address the mental health of students.

1       (b) A regional education service center may consult with any  
2 entity the center considers necessary in identifying resources  
3 under Subsection (a), including:

- 4           (1) school districts;
- 5           (2) local mental health authorities;
- 6           (3) community mental health services providers;
- 7           (4) education groups;
- 8           (5) hospitals; and
- 9           (6) institutions of higher education.

10       (c) Not later than March 1 of each even-numbered year, each  
11 regional education service center shall:

- 12           (1) use the revised rubric received from the agency  
13 under Section 38.251 to identify, in the manner provided by this  
14 section, any additional resources that may be available to schools  
15 in the center's region; and
- 16           (2) submit to the agency a report on resources  
17 identified through the process, including any additional resources  
18 identified under Subdivision (1).

19       Sec. 38.253. STATEWIDE INVENTORY OF MENTAL HEALTH  
20 RESOURCES. (a) The agency shall develop a list of statewide  
21 resources available to school districts to address the mental  
22 health of students, including:

- 23           (1) training and technical assistance on practices  
24 that support the mental health of students;
- 25           (2) school-based programs that provide prevention or  
26 intervention services to students;
- 27           (3) community-based programs that provide

1 school-based or school-connected prevention or intervention  
2 services to students;

3 (4) school-based mental health providers; and

4 (5) public and private funding sources available to  
5 address the mental health of students.

6 (b) In developing the list required under Subsection (a),  
7 the agency shall collaborate with:

8 (1) the Health and Human Services Commission;

9 (2) the Department of Family and Protective Services;

10 (3) the Texas Juvenile Justice Department;

11 (4) the Texas Higher Education Coordinating Board;

12 (5) the Texas Workforce Commission;

13 (6) hospitals or other health care providers;

14 (7) community service providers;

15 (8) parent, educator, and advocacy groups; and

16 (9) any entity the agency determines can assist the  
17 agency in compiling the list.

18 (c) The agency shall include on the list any resource  
19 available through an entity identified as a resource under  
20 Subsection (b), including an entity described by Subsection (b),  
21 that provides evidence-based and promising programs and best  
22 practices that:

23 (1) create school environments that support the  
24 social, emotional, and academic development of students;

25 (2) identify students who may need additional  
26 behavioral or mental health support before issues arise;

27 (3) provide early, effective interventions to

1 students in need of additional support; and

2 (4) connect students and their families to specialized  
3 services in the school or community when needed.

4 (d) The agency shall revise the list not later than March 1  
5 of each even-numbered year.

6 Sec. 38.254. STATEWIDE PLAN FOR STUDENT MENTAL HEALTH. (a)  
7 The agency shall develop a statewide plan to ensure all students  
8 have access to adequate mental health resources. The agency shall  
9 include in the plan:

10 (1) a description of any revisions made to the rubric  
11 required by Section 38.251;

12 (2) the results of the most recent regional inventory  
13 of mental health resources required by Section 38.252, including  
14 any additional resources identified;

15 (3) the results of the most recent statewide inventory  
16 of mental health resources required by Section 38.253, including  
17 any additional resources identified;

18 (4) the agency's goals for student mental health  
19 access to be applied across the state, including goals relating to:

20 (A) methods to objectively measure positive  
21 school climate;

22 (B) increasing the availability of early,  
23 effective school-based or school-connected mental health  
24 interventions and resources for students in need of additional  
25 support; and

26 (C) increasing the availability of referrals for  
27 students and families to specialized services for students in need

1 of additional support outside the school;

2 (5) a list of actions the commissioner may take  
3 without legislative action to help all districts reach the agency's  
4 goals described by the plan; and

5 (6) recommendations to the legislature on methods to  
6 ensure that all districts can meet the agency's goals described in  
7 the plan through legislative appropriations or other action by the  
8 legislature.

9 (b) In developing the agency's goals under Subsection  
10 (a)(4), the agency shall consult with any person the agency  
11 believes is necessary to the development of the goals, including:

- 12 (1) educators;  
13 (2) mental health practitioners;  
14 (3) advocacy groups; and  
15 (4) parents.

16 (c) The agency shall revise the plan not later than April 1  
17 of each even-numbered year.

18 (d) As soon as practicable after completing or revising the  
19 plan, the agency shall:

- 20 (1) submit an electronic copy of the plan to the  
21 legislature;  
22 (2) post the plan on the agency's Internet website; and  
23 (3) hold public meetings in each regional education  
24 service center's region to present the statewide plan and shall  
25 provide an opportunity for public comment at each meeting.

26 Sec. 38.255. AGENCY USE OF STATEWIDE PLAN. (a) The agency  
27 shall use the statewide plan for student mental health required by

1 Section 38.254 to develop and revise the agency's long-term  
2 strategic plan.

3 (b) The agency shall use the recommendations to the  
4 legislature required by Section 38.254(a)(6) to develop each agency  
5 legislative appropriations request.

6 Sec. 38.256. REPORTS TO LEGISLATURE. In addition to any  
7 other information required to be provided to the legislature under  
8 this chapter, not later than November 1 of each even-numbered year  
9 the agency shall provide to the legislature:

10 (1) a description of any changes the agency has made to  
11 the rubric required by Section 38.251; and

12 (2) an analysis of each region's progress toward  
13 meeting the agency's goals developed under Section 38.254.

14 SECTION 2. (a) Not later than December 1, 2019, the Texas  
15 Education Agency shall develop and distribute to each regional  
16 education service center the rubric required by Section 38.251,  
17 Education Code, as added by this Act.

18 (b) Not later than March 1, 2020:

19 (1) each regional education service center shall  
20 complete the regional inventory of mental health resources required  
21 by Section 38.252, Education Code, as added by this Act, and report  
22 to the Texas Education Agency on the resources identified through  
23 the inventory; and

24 (2) the Texas Education Agency shall complete the  
25 statewide inventory of mental health resources required by Section  
26 38.253, Education Code, as added by this Act, and develop a list of  
27 resources available to school districts statewide to address the

1 mental health of students.

2 (c) Not later than April 1, 2020, the Texas Education Agency  
3 shall develop the statewide plan for student mental health required  
4 by Section 38.254, Education Code, as added by this Act, submit an  
5 electronic copy of the plan to the legislature, and post the plan on  
6 the agency's Internet website.

7 SECTION 3. 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.