

By: Taylor, et al.

S.B. No. 11

A BILL TO BE ENTITLED

AN ACT

relating to policies, procedures, and measures for school safety and mental health promotion in public schools.

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

SECTION 1. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.061 to read as follows:

Sec. 7.061. FACILITIES STANDARDS. (a) In this section, "instructional facility" has the meaning assigned by Section 46.001.

(b) The commissioner shall adopt or amend rules as necessary to ensure that building standards for instructional facilities and other school district and open-enrollment charter school facilities provide a secure and safe environment. In adopting or amending rules under this section, the commissioner shall include the use of best practices for:

(1) the design and construction of new facilities; and  
(2) the improvement, renovation, and retrofitting of existing facilities.

(c) Not later than September 1 of each even-numbered year, the commissioner shall review all rules adopted or amended under this section and amend the rules as necessary to ensure that building standards for school district and open-enrollment charter school facilities continue to provide a secure and safe environment.

1           SECTION 2. Section 11.252(a), Education Code, is amended to  
2 read as follows:

3           (a) Each school district shall have a district improvement  
4 plan that is developed, evaluated, and revised annually, in  
5 accordance with district policy, by the superintendent with the  
6 assistance of the district-level committee established under  
7 Section 11.251. The purpose of the district improvement plan is to  
8 guide district and campus staff in the improvement of student  
9 performance for all student groups in order to attain state  
10 standards in respect to the achievement indicators adopted under  
11 Section 39.053(c). The district improvement plan must include  
12 provisions for:

13           (1) a comprehensive needs assessment addressing  
14 district student performance on the achievement indicators, and  
15 other appropriate measures of performance, that are disaggregated  
16 by all student groups served by the district, including categories  
17 of ethnicity, socioeconomic status, sex, and populations served by  
18 special programs, including students in special education programs  
19 under Subchapter A, Chapter 29;

20           (2) measurable district performance objectives for  
21 all appropriate achievement indicators for all student  
22 populations, including students in special education programs  
23 under Subchapter A, Chapter 29, and other measures of student  
24 performance that may be identified through the comprehensive needs  
25 assessment;

26           (3) strategies for improvement of student performance  
27 that include:

- 1 (A) instructional methods for addressing the  
2 needs of student groups not achieving their full potential;
- 3 (B) methods for addressing the needs of students  
4 for special programs, including:
- 5 (i) suicide prevention programs, in  
6 accordance with Subchapter O-1, Chapter 161, Health and Safety  
7 Code, which includes a parental or guardian notification procedure;
- 8 (ii) conflict resolution programs;
- 9 (iii) violence prevention programs; and
- 10 (iv) dyslexia treatment programs;
- 11 (C) dropout reduction;
- 12 (D) integration of technology in instructional  
13 and administrative programs;
- 14 (E) discipline management;
- 15 (F) staff development for professional staff of  
16 the district;
- 17 (G) career education to assist students in  
18 developing the knowledge, skills, and competencies necessary for a  
19 broad range of career opportunities; and
- 20 (H) accelerated education;
- 21 (4) strategies for providing to middle school, junior  
22 high school, and high school students, those students' teachers and  
23 school counselors, and those students' parents information about:
- 24 (A) higher education admissions and financial  
25 aid opportunities;
- 26 (B) the TEXAS grant program and the Teach for  
27 Texas grant program established under Chapter 56;

1 (C) the need for students to make informed  
2 curriculum choices to be prepared for success beyond high school;  
3 and

4 (D) sources of information on higher education  
5 admissions and financial aid;

6 (5) resources needed to implement identified  
7 strategies;

8 (6) staff responsible for ensuring the accomplishment  
9 of each strategy;

10 (7) timelines for ongoing monitoring of the  
11 implementation of each improvement strategy;

12 (8) formative evaluation criteria for determining  
13 periodically whether strategies are resulting in intended  
14 improvement of student performance; ~~and~~

15 (9) the policy under Section 38.0041 addressing sexual  
16 abuse and other maltreatment of children; and

17 (10) the trauma-informed care policy required under  
18 Section 38.036.

19 SECTION 3. Section 12.104(b), Education Code, as amended by  
20 Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts  
21 of the 85th Legislature, Regular Session, 2017, is reenacted and  
22 amended to read as follows:

23 (b) An open-enrollment charter school is subject to:

24 (1) a provision of this title establishing a criminal  
25 offense; and

26 (2) a prohibition, restriction, or requirement, as  
27 applicable, imposed by this title or a rule adopted under this

1 title, relating to:

2 (A) the Public Education Information Management  
3 System (PEIMS) to the extent necessary to monitor compliance with  
4 this subchapter as determined by the commissioner;

5 (B) criminal history records under Subchapter C,  
6 Chapter 22;

7 (C) reading instruments and accelerated reading  
8 instruction programs under Section 28.006;

9 (D) accelerated instruction under Section  
10 28.0211;

11 (E) high school graduation requirements under  
12 Section 28.025;

13 (F) special education programs under Subchapter  
14 A, Chapter 29;

15 (G) bilingual education under Subchapter B,  
16 Chapter 29;

17 (H) prekindergarten programs under Subchapter E  
18 or E-1, Chapter 29;

19 (I) extracurricular activities under Section  
20 33.081;

21 (J) discipline management practices or behavior  
22 management techniques under Section 37.0021;

23 (K) health and safety under Chapter 38;

24 (L) public school accountability under  
25 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

26 (M) the requirement under Section 21.006 to  
27 report an educator's misconduct;

1 (N) intensive programs of instruction under  
2 Section 28.0213;

3 (O) the right of a school employee to report a  
4 crime, as provided by Section 37.148; ~~and~~

5 (P) bullying prevention policies and procedures  
6 under Section 37.0832;

7 (Q) the right of a school under Section 37.0052  
8 to place a student who has engaged in certain bullying behavior in a  
9 disciplinary alternative education program or to expel the student;  
10 ~~and~~

11 (R) the right under Section 37.0151 to report to  
12 local law enforcement certain conduct constituting assault or  
13 harassment;

14 (S) ~~(P)~~ a parent's right to information  
15 regarding the provision of assistance for learning difficulties to  
16 the parent's child as provided by Sections 26.004(b)(11) and  
17 26.0081(c) and (d); and

18 (T) school safety requirements under Sections  
19 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207,  
20 and 37.2071.

21 SECTION 4. Sections 21.054(d) and (d-2), Education Code,  
22 are amended to read as follows:

23 (d) Continuing education requirements for a classroom  
24 teacher must provide that not more than 25 percent of the training  
25 required every five years include instruction regarding:

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

1 (2) recognizing early warning indicators that a  
2 student may be at risk of dropping out of school;

3 (3) digital learning, digital teaching, and  
4 integrating technology into classroom instruction;

5 (4) educating diverse student populations, including:

6 (A) students with disabilities, including mental  
7 health disorders;

8 (B) students who are educationally  
9 disadvantaged;

10 (C) students of limited English proficiency; and

11 (D) students at risk of dropping out of school;

12 ~~and~~

13 (5) understanding appropriate relationships,  
14 boundaries, and communications between educators and students;

15 and~~[-]~~

16 (6) [~~(d-2) Continuing education requirements for a~~  
17 ~~classroom teacher may include instruction regarding~~] how grief and  
18 trauma affect student learning and behavior and how evidence-based,  
19 grief-informed, and trauma-informed strategies support the  
20 academic success of students affected by grief and trauma.

21 (d-2) The instruction required under Subsection (d)(6)  
22 must:

23 (1) comply with the training required by Section  
24 38.036(c)(1); and

25 (2) be approved by the commissioner.

26 SECTION 5. Section 25.081(a), Education Code, is amended to  
27 read as follows:

1 (a) Except as authorized under Subsection (b) of this  
2 section, Section 25.0815, Section 25.084, or Section 29.0821, for  
3 each school year each school district must operate for at least  
4 75,600 minutes, including time allocated for instruction,  
5 intermissions, and recesses for students.

6 SECTION 6. Subchapter C, Chapter 25, Education Code, is  
7 amended by adding Section 25.0815 to read as follows:

8 Sec. 25.0815. OPERATION AND INSTRUCTIONAL TIME WAIVERS FOR  
9 SCHOOL SAFETY TRAINING. (a) The commissioner shall provide a  
10 waiver allowing for fewer minutes of operation and instructional  
11 time than required under Section 25.081(a) for a school district  
12 that requires each educator employed by the district to attend an  
13 approved school safety training course.

14 (b) A waiver under this section:

15 (1) must allow sufficient time for the school  
16 district's educators to attend the school safety training course;  
17 and

18 (2) may not:

19 (A) result in an inadequate number of minutes of  
20 instructional time for students; or

21 (B) reduce the number of minutes of operation and  
22 instructional time by more than 420 minutes.

23 (c) To be approved under this section, a school safety  
24 training course must apply to the Texas School Safety Center. The  
25 Texas School Safety Center may approve a training course if the  
26 course satisfies the training requirements as determined by the  
27 center.



1        (d) The commissioner may adopt rules to implement this  
2 section.

3        SECTION 7. Section 28.002, Education Code, is amended by  
4 adding Subsection (z) to read as follows:

5        (z) The State Board of Education by rule shall require each  
6 school district to incorporate instruction in digital citizenship  
7 into the district's curriculum, including information regarding  
8 the potential criminal consequences of cyberbullying. In this  
9 subsection:

10        (1) "Cyberbullying" has the meaning assigned by  
11 Section 37.0832.

12        (2) "Digital citizenship" means the standards of  
13 appropriate, responsible, and healthy online behavior, including  
14 the ability to access, analyze, evaluate, create, and act on all  
15 forms of digital communication.

16        SECTION 8. Section 28.004(c), Education Code, is amended to  
17 read as follows:

18        (c) The local school health advisory council's duties  
19 include recommending:

20            (1) the number of hours of instruction to be provided  
21 in health education;

22            (2) policies, procedures, strategies, and curriculum  
23 appropriate for specific grade levels designed to prevent obesity,  
24 cardiovascular disease, Type 2 diabetes, and mental health  
25 concerns, including suicide, through coordination of:

26                    (A) health education;

27                    (B) physical education and physical activity;

- 1 (C) nutrition services;
- 2 (D) parental involvement;
- 3 (E) instruction to prevent the use of
- 4 e-cigarettes, as defined by Section 161.081, Health and Safety
- 5 Code, and tobacco;
- 6 (F) school health services;
- 7 (G) counseling and guidance services;
- 8 (H) a safe and healthy school environment; and
- 9 (I) school employee wellness;
- 10 (3) appropriate grade levels and methods of
- 11 instruction for human sexuality instruction;
- 12 (4) strategies for integrating the curriculum
- 13 components specified by Subdivision (2) with the following elements
- 14 in a coordinated school health program for the district:
- 15 (A) school health services;
- 16 (B) counseling and guidance services;
- 17 (C) a safe and healthy school environment; and
- 18 (D) school employee wellness; ~~and~~
- 19 (5) if feasible, joint use agreements or strategies
- 20 for collaboration between the school district and community
- 21 organizations or agencies; and
- 22 (6) strategies to increase parental awareness
- 23 regarding:
- 24 (A) risky behaviors and early warning signs of
- 25 suicide risks and behavioral health concerns, including mental
- 26 health disorders and substance use disorders; and
- 27 (B) available community programs and services

1 that address risky behaviors, suicide risks, and behavioral health  
2 concerns.

3 SECTION 9. Section 37.108, Education Code, is amended by  
4 amending Subsections (a), (b), and (c) and adding Subsection (f) to  
5 read as follows:

6 (a) Each school district or public junior college district  
7 shall adopt and implement a multihazard emergency operations plan  
8 for use in the district's facilities. The plan must address  
9 prevention, mitigation, preparedness, response, and recovery as  
10 defined by the Texas School Safety Center in conjunction with the  
11 governor's office of homeland security and the commissioner of  
12 education or commissioner of higher education, as applicable [~~in~~  
13 ~~conjunction with the governor's office of homeland security~~]. The  
14 plan must provide for:

15 (1) [~~district employee~~] training in responding to an  
16 emergency for district employees, including substitute teachers;

17 (2) measures to ensure district employees, including  
18 substitute teachers, have classroom access to a telephone,  
19 including a cellular telephone, or another electronic  
20 communication device allowing for immediate contact with district  
21 emergency services or emergency services agencies, law enforcement  
22 agencies, health departments, and fire departments;

23 (3) measures to ensure district communications  
24 technology and infrastructure are adequate to allow for  
25 communication during an emergency;

26 (4) if the plan applies to a school district,  
27 mandatory school drills and exercises, including drills required

1 under Section 37.114, to prepare district students and employees  
2 for responding to an emergency;

3 (5) [~~(3)~~] measures to ensure coordination with the  
4 Department of State Health Services and local emergency management  
5 agencies, law enforcement, health departments, and fire  
6 departments in the event of an emergency; and

7 (6) [~~(4)~~] the implementation of a safety and security  
8 audit as required by Subsection (b).

9 (b) At least once every three years, each school district or  
10 public junior college district shall conduct a safety and security  
11 audit of the district's facilities. To the extent possible, a  
12 district shall follow safety and security audit procedures  
13 developed by the Texas School Safety Center or a person included in  
14 the registry established by the Texas School Safety Center under  
15 Section 37.2091 [~~comparable public or private entity~~].

16 (c) A school district or public junior college district  
17 shall report the results of the safety and security audit conducted  
18 under Subsection (b) to the district's board of trustees and, in the  
19 manner required by the Texas School Safety Center, to the Texas  
20 School Safety Center. The report provided to the Texas School  
21 Safety Center under this subsection must be signed by:

22 (1) for a school district, the district's board of  
23 trustees and superintendent; or

24 (2) for a public junior college district, the  
25 president of the junior college district.

26 (f) A school district shall include in its multihazard  
27 emergency operations plan:

1           (1) a chain of command that designates the individual  
2 responsible for making final decisions during a disaster or  
3 emergency situation and identifies other individuals responsible  
4 for making those decisions if the designated person is unavailable;

5           (2) provisions that address physical and  
6 psychological safety for responding to a natural disaster, active  
7 shooter, and any other dangerous scenario identified for purposes  
8 of this section by the agency or the Texas School Safety Center;

9           (3) provisions for ensuring the safety of students in  
10 portable buildings;

11           (4) provisions for ensuring that students and district  
12 personnel with disabilities are provided equal access to safety  
13 during a disaster or emergency situation;

14           (5) provisions for providing immediate notification  
15 to parents, guardians, and other persons standing in parental  
16 relation in circumstances involving a significant threat to the  
17 health or safety of students, including identification of the  
18 individual with responsibility for overseeing the notification;

19           (6) provisions for supporting the psychological  
20 safety of students, district personnel, and the community during  
21 the response and recovery phase following a disaster or emergency  
22 situation that:

23                   (A) are aligned with best practice-based  
24 programs and research-based practices recommended under Section  
25 161.325, Health and Safety Code;

26                   (B) include strategies for ensuring any required  
27 professional development training for suicide prevention and

1 grief-informed and trauma-informed care is provided to appropriate  
2 school personnel;

3 (C) include training on integrating  
4 psychological safety strategies into the district's plan, such as  
5 psychological first aid for schools training, from an approved list  
6 of recommended training established by the commissioner and Texas  
7 School Safety Center for:

8 (i) members of the district's school safety  
9 and security committee under Section 37.109;

10 (ii) district school counselors and mental  
11 health professionals; and

12 (iii) educators and other district  
13 personnel as determined by the district;

14 (D) include strategies and procedures for  
15 integrating and supporting physical and psychological safety that  
16 align with the provisions described by Subdivision (2); and

17 (E) implement trauma-informed policies;

18 (7) a policy for providing a substitute teacher access  
19 to school campus buildings and materials necessary for the  
20 substitute teacher to carry out the duties of a district employee  
21 during an emergency or a mandatory emergency drill; and

22 (8) the name of each individual on the district's  
23 school safety and security committee established under Section  
24 37.109 and the date of each committee meeting during the preceding  
25 year.

26 SECTION 10. Subchapter D, Chapter 37, Education Code, is  
27 amended by adding Sections 37.1081 and 37.1082 to read as follows:

1       Sec. 37.1081. PUBLIC HEARING ON MULTHAZARD EMERGENCY  
2 OPERATIONS PLAN NONCOMPLIANCE. (a) If the board of trustees of a  
3 school district receives notice of noncompliance under Section  
4 37.207(e) or 37.2071(g), the board shall hold a public hearing to  
5 notify the public of:

6           (1) the district's failure to:

7                   (A) submit or correct deficiencies in a  
8 multihazard emergency operations plan; or

9                   (B) report the results of a safety and security  
10 audit to the Texas School Safety Center as required by law;

11           (2) the dates during which the district has not been in  
12 compliance; and

13           (3) the names of each member of the board of trustees  
14 and the superintendent serving in that capacity during the dates  
15 the district was not in compliance.

16       (b) The school district shall provide the information  
17 required under Subsection (a)(3) in writing to each person in  
18 attendance at the hearing.

19       (c) The board shall give members of the public a reasonable  
20 opportunity to appear before the board and to speak on the issue of  
21 the district's failure to submit or correct deficiencies in a  
22 multihazard emergency operations plan or report the results of a  
23 safety and security audit during a hearing held under this section.

24       (d) A school district required to hold a public hearing  
25 under Subsection (a) shall provide written confirmation to the  
26 Texas School Safety Center that the district held the hearing.

27       Sec. 37.1082. MULTHAZARD EMERGENCY OPERATIONS PLAN

NONCOMPLIANCE; APPOINTMENT OF CONSERVATOR OR BOARD OF MANAGERS.

(a) If the agency receives notice from the Texas School Safety Center of a school district's failure to submit a multihazard emergency operations plan, the commissioner may appoint a conservator for the district under Chapter 39A. The conservator may order the district to adopt, implement, and submit a multihazard emergency operations plan.

(b) If a district fails to comply with a conservator's order to adopt, implement, and submit a multihazard emergency operations plan within the time frame imposed by the commissioner, the commissioner may appoint a board of managers under Chapter 39A to oversee the operations of the district.

(c) The commissioner may adopt rules as necessary to administer this section.

SECTION 11. Section 37.109, Education Code, is amended by adding Subsections (a-1), (c), and (d) and amending Subsection (b) to read as follows:

(a-1) The committee, to the greatest extent practicable, must include:

(1) one or more representatives of an office of emergency management of a county or city in which the district is located;

(2) one or more representatives of the local police department or sheriff's office;

(3) one or more representatives of the district's police department, if applicable;

(4) the president of the district's board of trustees;



1           (5) a member of the district's board of trustees other  
2 than the president;

3           (6) the district's superintendent;

4           (7) one or more designees of the district's  
5 superintendent, one of whom must be a classroom teacher in the  
6 district;

7           (8) if the district partners with an open-enrollment  
8 charter school to provide instruction to students, a member of the  
9 open-enrollment charter school's governing body or a designee of  
10 the governing body; and

11           (9) two parents or guardians of students enrolled in  
12 the district.

13           (b) The committee shall:

14           (1) participate on behalf of the district in  
15 developing and implementing emergency plans consistent with the  
16 district multihazard emergency operations plan required by Section  
17 [37.108\(a\)](#) to ensure that the plans reflect specific campus,  
18 facility, or support services needs;

19           (2) periodically provide recommendations to the  
20 district's board of trustees and district administrators regarding  
21 updating the district multihazard emergency operations plan  
22 required by Section [37.108\(a\)](#) in accordance with best practices  
23 identified by the agency, the Texas School Safety Center, or a  
24 person included in the registry established by the Texas School  
25 Safety Center under Section [37.2091](#);

26           (3) provide the district with any campus, facility, or  
27 support services information required in connection with a safety

1 and security audit required by Section 37.108(b), a safety and  
2 security audit report required by Section 37.108(c), or another  
3 report required to be submitted by the district to the Texas School  
4 Safety Center; ~~and~~

5 (4) [~~(3)~~ review each report required to be submitted  
6 by the district to the Texas School Safety Center to ensure that the  
7 report contains accurate and complete information regarding each  
8 campus, facility, or support service in accordance with criteria  
9 established by the center; and

10 (5) consult with local law enforcement agencies on  
11 methods to increase law enforcement presence near district  
12 campuses.

13 (c) Except as otherwise provided by this subsection, the  
14 committee shall meet at least once during each academic semester  
15 and at least once during the summer. A committee established by a  
16 school district that operates schools on a year-round system or in  
17 accordance with another alternative schedule shall meet at least  
18 three times during each calendar year, with an interval of at least  
19 two months between each meeting.

20 (d) The committee is subject to Chapter 551, Government  
21 Code, and may meet in executive session as provided by that chapter.  
22 Notice of a committee meeting must be posted in the same manner as  
23 notice of a meeting of the district's board of trustees.

24 SECTION 12. Subchapter D, Chapter 37, Education Code, is  
25 amended by adding Sections 37.113, 37.114, and 37.115 to read as  
26 follows:

27 Sec. 37.113. NOTIFICATION REGARDING BOMB THREAT OR

1 TERRORISTIC THREAT. A school district that receives a bomb threat  
2 or terroristic threat relating to a campus or other district  
3 facility at which students are present shall provide notification  
4 of the threat as soon as possible to the parent or guardian of or  
5 other person standing in parental relation to each student who is  
6 assigned to the campus or who regularly uses the facility, as  
7 applicable.

8 Sec. 37.114. EMERGENCY EVACUATIONS; MANDATORY SCHOOL  
9 DRILLS. The commissioner, in consultation with the Texas School  
10 Safety Center and the state fire marshal, shall adopt rules:

11 (1) providing procedures for evacuating and securing  
12 school property during an emergency; and

13 (2) designating the number of mandatory school drills  
14 to be conducted each semester of the school year, not to exceed  
15 eight drills, including designating the number of:

16 (A) evacuation fire exit drills; and

17 (B) lockdown, lockout, shelter-in-place, and  
18 evacuation drills.

19 Sec. 37.115. THREAT ASSESSMENT AND SAFE AND SUPPORTIVE  
20 SCHOOL PROGRAM AND TEAM. (a) In this section:

21 (1) "Harmful, threatening, or violent behavior"  
22 includes behaviors, such as verbal threats, threats of self harm,  
23 bullying, cyberbullying, fighting, the use or possession of a  
24 weapon, sexual assault, sexual harassment, dating violence,  
25 stalking, or assault, by a student that could result in:

26 (A) specific interventions, including mental  
27 health or behavioral supports;

1           (B) in-school suspension;  
2           (C) out-of-school suspension; or  
3           (D) the student's expulsion or removal to a  
4 disciplinary alternative education program or a juvenile justice  
5 alternative education program.

6           (2) "Team" means a threat assessment and safe and  
7 supportive school team established by the board of trustees of a  
8 school district under this section.

9           (b) The agency, in coordination with the Texas School Safety  
10 Center, shall adopt rules to establish a safe and supportive school  
11 program. The rules shall incorporate research-based best practices  
12 for school safety, including providing for:

13           (1) physical and psychological safety;

14           (2) a multiphase and multihazard approach to  
15 prevention, mitigation, preparedness, response, and recovery in a  
16 crisis situation;

17           (3) a systemic and coordinated multitiered support  
18 system that addresses school climate, the social and emotional  
19 domain, and behavioral and mental health; and

20           (4) multidisciplinary and multiagency collaboration  
21 to assess risks and threats in schools and provide appropriate  
22 interventions, including rules for the establishment and operation  
23 of teams.

24           (c) The board of trustees of each school district shall  
25 establish a threat assessment and safe and supportive school team  
26 to serve at each campus of the district and shall adopt policies and  
27 procedures for the teams. The team is responsible for developing

1 and implementing the safe and supportive school program under  
2 Subsection (b) at the district campus served by the team. The  
3 policies and procedures adopted under this section must:

4 (1) be consistent with the model policies and  
5 procedures developed by the Texas School Safety Center;

6 (2) require each team to complete training provided by  
7 the Texas School Safety Center or a regional education service  
8 center regarding evidence-based threat assessment programs; and

9 (3) require each team established under this section  
10 to report the information required under Subsection (j) regarding  
11 the team's activities to the agency.

12 (d) The superintendent of the district shall ensure that the  
13 members appointed to each team have expertise in counseling,  
14 behavior management, mental health and substance use, classroom  
15 instruction, special education, school administration, school  
16 safety and security, emergency management, and law enforcement. A  
17 team may serve more than one campus of a school district, provided  
18 that each district campus is assigned a team.

19 (e) The superintendent of a school district may establish a  
20 committee, or assign to an existing committee established by the  
21 district, the duty to oversee the operations of teams established  
22 for the district. A committee with oversight responsibility under  
23 this subsection must include members with expertise in human  
24 resources, education, special education, counseling, behavior  
25 management, school administration, mental health and substance  
26 use, school safety and security, emergency management, and law  
27 enforcement.

1       (f) Each team shall:

2               (1) conduct a threat assessment that includes:

3                       (A) assessing and reporting individuals who make  
4 threats of violence or exhibit harmful, threatening, or violent  
5 behavior in accordance with the policies and procedures adopted  
6 under Subsection (c); and

7                       (B) gathering and analyzing data to determine the  
8 level of risk and appropriate intervention, including:

9                               (i) referring a student for mental health  
10 assessment; and

11                              (ii) implementing an escalation procedure,  
12 if appropriate based on the team's assessment, in accordance with  
13 district policy;

14               (2) provide guidance to students and school employees  
15 on recognizing harmful, threatening, or violent behavior that may  
16 pose a threat to the community, school, or individual; and

17               (3) support the district in implementing the  
18 district's multihazard emergency operations plan.

19       (g) On a determination that a student or other individual  
20 poses a serious risk of violence to self or others, a team shall  
21 immediately report the team's determination to the superintendent.  
22 If the individual is a student, the superintendent shall  
23 immediately attempt to inform the parent or person standing in  
24 parental relation to the student. The requirements of this  
25 subsection do not prevent an employee of the school from acting  
26 immediately to prevent an imminent threat or respond to an  
27 emergency.

1       (h) A team identifying a student at risk of suicide shall  
2 act in accordance with the district's suicide prevention program.  
3 If the student at risk of suicide also makes a threat of violence to  
4 others, the team shall conduct a threat assessment in addition to  
5 actions taken in accordance with the district's suicide prevention  
6 program.

7       (i) A team identifying a student using or possessing  
8 tobacco, drugs, or alcohol shall act in accordance with district  
9 policies and procedures related to substance use prevention and  
10 intervention.

11       (j) A team must report to the agency in accordance with  
12 guidelines developed by the agency the following information  
13 regarding the team's activities and other information for each  
14 school district campus the team serves:

15               (1) the occupation of each person appointed to the  
16 team;

17               (2) the number of threats and a description of the type  
18 of the threats reported to the team;

19               (3) the outcome of each assessment made by the team,  
20 including:

21                       (A) any disciplinary action taken, including a  
22 change in school placement;

23                       (B) any action taken by law enforcement; or

24                       (C) a referral to or change in counseling, mental  
25 health, special education, or other services;

26               (4) the total number, disaggregated by student gender,  
27 race, and status as receiving special education services, being at

1 risk of dropping out of school, being in foster care, experiencing  
2 homelessness, being a dependent of military personnel, being  
3 pregnant or a parent, having limited English proficiency, or being  
4 a migratory child, of, in connection with an assessment or reported  
5 threat by the team:

6 (A) citations issued for Class C misdemeanor  
7 offenses;

8 (B) arrests;

9 (C) incidents of uses of restraint;

10 (D) changes in school placement, including  
11 placement in a juvenile justice alternative education program or  
12 disciplinary alternative education program;

13 (E) referrals to or changes in counseling, mental  
14 health, special education, or other services;

15 (F) placements in in-school suspension or  
16 out-of-school suspension and incidents of expulsion;

17 (G) unexcused absences of 15 or more days during  
18 the school year; and

19 (H) referrals to juvenile court for truancy; and

20 (5) the number and percentage of school personnel  
21 trained in:

22 (A) a best-practices program or research-based  
23 practice under Section 161.325, Health and Safety Code, including  
24 the number and percentage of school personnel trained in:

25 (i) suicide prevention; or

26 (ii) grief and trauma-informed practices;

27 (B) mental health or psychological first aid for



1 schools;

2 (C) training relating to the safe and supportive  
3 school program established under Subsection (b); or

4 (D) any other program relating to safety  
5 identified by the commissioner.

6 (k) The commissioner may adopt rules to implement this  
7 section.

8 SECTION 13. Section 37.207, Education Code, is amended by  
9 adding Subsections (c), (d), and (e) to read as follows:

10 (c) In addition to a review of a district's multihazard  
11 emergency operations plan under Section 37.2071, the center may  
12 require a district to submit its plan for immediate review if the  
13 district's audit results indicate that the district is not  
14 complying with applicable standards.

15 (d) If a district fails to report the results of its audit as  
16 required under Subsection (b), the center shall provide the  
17 district with written notice that the district has failed to report  
18 its audit results and must immediately report the results to the  
19 center.

20 (e) If six months after the date of the initial notification  
21 required by Subsection (d) the district has still not reported the  
22 results of its audit to the center, the center shall notify the  
23 agency and the district of the district's requirement to conduct a  
24 public hearing under Section 37.1081. This subsection applies only  
25 to a school district.

26 SECTION 14. Subchapter G, Chapter 37, Education Code, is  
27 amended by adding Section 37.2071 to read as follows:

1       Sec. 37.2071. DISTRICT MULTHAZARD EMERGENCY OPERATIONS  
2 PLAN REVIEW AND VERIFICATION. (a) The center shall establish a  
3 random or need-based cycle for the center's review and verification  
4 of school district and public junior college district multihazard  
5 emergency operations plans adopted under Section 37.108. The cycle  
6 must provide for each district's plan to be reviewed at regular  
7 intervals as determined by the center.

8       (b) A school district or public junior college district  
9 shall submit its multihazard emergency operations plan to the  
10 center on request of the center and in accordance with the center's  
11 review cycle developed under Subsection (a).

12       (c) The center shall review each district's multihazard  
13 emergency operations plan submitted under Subsection (b) and:

14               (1) verify the plan meets the requirements of Section  
15 37.108; or

16               (2) provide the district with written notice:

17                       (A) describing the plan's deficiencies; and

18                       (B) stating that the district must correct the  
19 deficiencies in its plan and resubmit the revised plan to the  
20 center.

21       (d) If a district fails to submit its multihazard emergency  
22 operations plan to the center for review, the center shall provide  
23 the district with written notice stating that the district:

24               (1) has failed to submit a plan; and

25               (2) must submit a plan to the center for review and  
26 verification.

27       (e) The center may approve a district multihazard emergency

1 operations plan that has deficiencies if the district submits a  
2 revised plan that the center determines will correct the  
3 deficiencies.

4 (f) If three months after the date of initial notification  
5 of a plan's deficiencies under Subsection (c)(2) or failure to  
6 submit a plan under Subsection (d) a district has not corrected the  
7 plan deficiencies or has failed to submit a plan, the center shall  
8 provide written notice to the district and agency that the district  
9 has not complied with the requirements of this section and must  
10 comply immediately.

11 (g) If a school district still has not corrected the plan  
12 deficiencies or has failed to submit a plan six months after the  
13 date of initial notification under Subsection (c)(2) or (d), the  
14 center shall provide written notice to the school district stating  
15 that the district must hold a public hearing under Section 37.1081.

16 (h) If a school district has failed to submit a plan, the  
17 notice required by Subsection (g) must state that the commissioner  
18 is authorized to appoint a conservator under Section 37.1082.

19 (i) Any document or information collected, developed, or  
20 produced during the review and verification of multihazard  
21 emergency operations plans under this section is not subject to  
22 disclosure under Chapter 552, Government Code.

23 SECTION 15. Section 37.2091(d), Education Code, is amended  
24 to read as follows:

25 (d) The center shall verify the information provided by a  
26 person under Subsection (c) to confirm [~~registry is intended to~~  
27 ~~serve only as an informational resource for school districts and~~

1 ~~institutions of higher education. The inclusion of a person in the~~  
2 ~~registry is not an indication of]~~ the person's qualifications and  
3 ~~[or]~~ ability to provide school safety or security consulting  
4 services before adding the person to the registry ~~[or that the~~  
5 ~~center endorses the person's school safety or security consulting~~  
6 ~~services]~~.

7 SECTION 16. Subchapter G, Chapter 37, Education Code, is  
8 amended by adding Section 37.220 to read as follows:

9 Sec. 37.220. MODEL THREAT ASSESSMENT TEAM POLICIES AND  
10 PROCEDURES. (a) The center, in coordination with the agency,  
11 shall develop model policies and procedures to assist school  
12 districts in establishing and training threat assessment teams.

13 (b) The model policies and procedures developed under  
14 Subsection (a) must include procedures, when appropriate, for:

15 (1) the referral of a student to a local mental health  
16 authority or health care provider for evaluation or treatment;

17 (2) the referral of a student for a full individual and  
18 initial evaluation for special education services under Section  
19 29.004; and

20 (3) a student or school personnel to anonymously  
21 report dangerous, violent, or unlawful activity that occurs or is  
22 threatened to occur on school property or that relates to a student  
23 or school personnel.

24 SECTION 17. Subchapter A, Chapter 38, Education Code, is  
25 amended by adding Section 38.036 to read as follows:

26 Sec. 38.036. TRAUMA-INFORMED CARE POLICY. (a) Each school  
27 district shall adopt and implement a policy requiring the

1 integration of trauma-informed practices in each school  
2 environment. A district must include the policy in the district  
3 improvement plan required under Section 11.252.

4 (b) A policy required by this section must address:

5 (1) using resources developed by the agency, methods  
6 for:

7 (A) increasing staff and parent awareness of  
8 trauma-informed care; and

9 (B) implementation of trauma-informed practices  
10 and care by district and campus staff; and

11 (2) available counseling options for students  
12 affected by trauma or grief.

13 (c) The methods under Subsection (b)(1) for increasing  
14 awareness and implementation of trauma-informed care must include  
15 training as provided by this subsection. The training must be  
16 provided:

17 (1) through a program selected from the list of  
18 recommended best practice-based programs and research-based  
19 practices established under Section 161.325, Health and Safety  
20 Code;

21 (2) as part of any new employee orientation for all new  
22 school district educators; and

23 (3) to existing school district educators on a  
24 schedule adopted by the agency by rule that requires educators to be  
25 trained at intervals necessary to keep educators informed of  
26 developments in the field.

27 (d) For any training under Subsection (c), each school

1 district shall maintain records that include the name of each  
2 district staff member who participated in the training.

3 (e) Each school district shall report annually to the Texas  
4 Education Agency the following information for the district as a  
5 whole and for each school campus:

6 (1) the number of teachers, principals, and counselors  
7 employed by the district who have completed training under this  
8 section; and

9 (2) the total number of teachers, principals, and  
10 counselors employed by the district.

11 (f) If a school district determines that the district does  
12 not have sufficient resources to provide the training required  
13 under Subsection (c), the district may partner with a community  
14 mental health organization to provide training that meets the  
15 requirements of Subsection (c) at no cost to the district.

16 (g) The commissioner shall adopt rules as necessary to  
17 administer this section.

18 SECTION 18. Section 45.001(a), Education Code, is amended  
19 to read as follows:

20 (a) The governing board of an independent school district,  
21 including the city council or commission that has jurisdiction over  
22 a municipally controlled independent school district, the  
23 governing board of a rural high school district, and the  
24 commissioners court of a county, on behalf of each common school  
25 district under its jurisdiction, may:

26 (1) issue bonds for:

27 (A) the construction, acquisition, and equipment

1 of school buildings in the district;

2 (B) the acquisition of property or the  
3 refinancing of property financed under a contract entered under  
4 Subchapter A, Chapter 271, Local Government Code, regardless of  
5 whether payment obligations under the contract are due in the  
6 current year or a future year;

7 (C) the purchase of the necessary sites for  
8 school buildings; ~~and~~

9 (D) the purchase of new school buses;

10 (E) the retrofitting of school buses with  
11 emergency, safety, or security equipment; and

12 (F) the purchase or retrofitting of vehicles to  
13 be used for emergency, safety, or security purposes; and

14 (2) ~~may~~ levy, pledge, assess, and collect annual ad  
15 valorem taxes sufficient to pay the principal of and interest on the  
16 bonds as or before the principal and interest become due, subject to  
17 Section 45.003.

18 SECTION 19. Chapter 61, Education Code, is amended by  
19 adding Subchapter LL to read as follows:

20 SUBCHAPTER LL. REPAYMENT OF CERTAIN SCHOOL COUNSELOR EDUCATION

21 LOANS

22 Sec. 61.9851. LOAN REPAYMENT ASSISTANCE AUTHORIZED. The  
23 board shall provide, in accordance with this subchapter and board  
24 rules, assistance in the repayment of eligible student loans for  
25 eligible school counselors who apply and qualify for the  
26 assistance.

27 Sec. 61.9852. ELIGIBILITY. To be eligible to receive loan

1 repayment assistance under this subchapter, a school counselor  
2 must:

3 (1) apply annually for the repayment assistance in a  
4 manner prescribed by the board;

5 (2) be a United States citizen or permanent resident  
6 alien;

7 (3) have earned at least a master's degree related to  
8 counseling from any public or accredited private institution of  
9 higher education;

10 (4) be:

11 (A) certified as a school counselor under  
12 Subchapter B, Chapter 21; or

13 (B) licensed as a specialist in school psychology  
14 under Section 501.260, Occupations Code; and

15 (5) have completed one, two, three, four, or five  
16 years of consecutive employment by a school district or  
17 open-enrollment charter school in this state:

18 (A) all or part of which is located in a federally  
19 designated mental health care health professional shortage area; or

20 (B) at a school that receives federal funding  
21 under Title I, Elementary and Secondary Education Act of 1965 (20  
22 U.S.C. Section 6301 et seq.).

23 Sec. 61.9853. LIMITATIONS. A school counselor may receive  
24 loan repayment assistance under this subchapter for not more than  
25 five years.

26 Sec. 61.9854. ELIGIBLE LOANS. (a) The board may provide  
27 loan repayment assistance under this subchapter for the repayment



1 of any student loan for education at an institution of higher  
2 education, a private or independent institution of higher  
3 education, or a public or private out-of-state institution of  
4 higher education accredited by a recognized accrediting agency,  
5 including loans for undergraduate education, received by an  
6 eligible person through any lender.

7 (b) The board may not provide repayment assistance for a  
8 student loan that is in default at the time of the person's  
9 application.

10 (c) In each state fiscal biennium, the board shall attempt  
11 to allocate all funds appropriated to the board for the purpose of  
12 providing loan repayment assistance under this subchapter.

13 Sec. 61.9855. REPAYMENT. (a) The board shall deliver any  
14 repayment under this subchapter in a lump sum payable:

15 (1) to both the lender or other holder of the loan and  
16 the school counselor; or

17 (2) directly to the lender or other holder of the loan  
18 on the school counselor's behalf.

19 (b) A repayment under this subchapter may be applied to any  
20 amount due in connection with the loan.

21 Sec. 61.9856. AMOUNT OF REPAYMENT ASSISTANCE. (a) A  
22 school counselor may receive loan repayment assistance under this  
23 subchapter for each year the school counselor establishes  
24 eligibility for the assistance in an amount determined by applying  
25 the following applicable percentage to the maximum total amount of  
26 assistance allowed for the school counselor under Subsection (b):

27 (1) for the first year, 10 percent;

- (2) for the second year, 15 percent;
- (3) for the third year, 20 percent;
- (4) for the fourth year, 25 percent; and
- (5) for the fifth year, 30 percent.

(b) The total amount of repayment assistance received by a school counselor under this subchapter may not exceed:

- (1) \$80,000, for assistance received by a school counselor who holds a doctoral degree related to counseling; and
- (2) \$40,000, for assistance received by a school counselor who holds a master's degree related to counseling.

(c) The total amount of loan repayment assistance provided under this subchapter may not exceed the sum of:

- (1) the total amount of gifts and grants accepted by the board for the repayment assistance;
- (2) legislative appropriations for the repayment assistance; and
- (3) other funds available to the board for the repayment assistance.

(d) The board may adjust in an equitable manner the distribution amounts that school counselors would otherwise receive under Subsection (a) for a year as necessary to comply with Subsection (c).

Sec. 61.9857. RULES; ADMINISTRATION. (a) The board shall adopt rules necessary to administer this subchapter.

(b) The board shall distribute to each institution of higher education or private or independent institution of higher education and to any appropriate state agency and professional association

1 copies of the rules adopted under this section and other pertinent  
2 information relating to this subchapter.

3 (c) The board shall administer the program under this  
4 subchapter in a manner that maximizes any matching funds available  
5 through other sources.

6 Sec. 61.9858. SOLICITATION AND ACCEPTANCE OF FUNDS. The  
7 board may solicit and accept gifts and grants from any public or  
8 private source for the purposes of this subchapter.

9 SECTION 20. Section 161.325(d), Health and Safety Code, is  
10 amended to read as follows:

11 (d) A school district may develop practices and procedures  
12 concerning each area listed in Subsection (a-1), including mental  
13 health promotion and intervention, substance abuse prevention and  
14 intervention, and suicide prevention, that:

15 (1) include a procedure for providing educational  
16 material to all parents and families in the district that contains  
17 information on identifying risk factors, accessing resources for  
18 treatment or support provided on and off campus, and accessing  
19 available student accommodations provided on campus;

20 (2) include a procedure for providing notice of a  
21 recommendation for early mental health or substance abuse  
22 intervention regarding a student to a parent or guardian of the  
23 student within a reasonable amount of time after the identification  
24 of early warning signs as described by Subsection (b)(2);

25 (3) [~~2~~] include a procedure for providing notice of  
26 a student identified as at risk of committing suicide to a parent or  
27 guardian of the student within a reasonable amount of time after the

1 identification of early warning signs as described by Subsection  
2 (b)(2);

3           (4) [~~(3)~~] establish that the district may develop a  
4 reporting mechanism and may designate at least one person to act as  
5 a liaison officer in the district for the purposes of identifying  
6 students in need of early mental health or substance abuse  
7 intervention or suicide prevention; and

8           (5) [~~(4)~~] set out available counseling alternatives  
9 for a parent or guardian to consider when their child is identified  
10 as possibly being in need of early mental health or substance abuse  
11 intervention or suicide prevention.

12           SECTION 21. From funds appropriated for that purpose, the  
13 commissioner of education shall establish and administer a grant  
14 program to award grants to local education agencies to improve and  
15 maintain student and school safety.

16           SECTION 22. Not later than January 1, 2020:

17           (1) the Texas School Safety Center shall:

18                   (A) develop a list of best practices for ensuring  
19 the safety of public school students receiving instruction in  
20 portable buildings; and

21                   (B) provide information regarding the list of  
22 best practices to school districts using portable buildings for  
23 student instruction;

24           (2) the commissioner of education shall adopt or amend  
25 rules as required by Section 7.061, Education Code, as added by this  
26 Act; and

27           (3) the commissioner of education, in consultation

1 with the Texas School Safety Center and the state fire marshal,  
2 shall adopt rules as required by Section 37.114, Education Code, as  
3 added by this Act.

4 SECTION 23. Section 28.002(z), Education Code, as added by  
5 this Act, applies beginning with the 2019-2020 school year.

6 SECTION 24. Section 28.004, Education Code, as amended by  
7 this Act, applies beginning with the 2019-2020 school year.

8 SECTION 25. The Texas Education Agency and the Texas School  
9 Safety Center are required to implement a provision of this Act only  
10 if the legislature appropriates money specifically for that  
11 purpose. If the legislature does not appropriate money  
12 specifically for that purpose, the Texas Education Agency or the  
13 Texas School Safety Center may, but is not required to, implement a  
14 provision of this Act using other appropriations available for that  
15 purpose.

16 SECTION 26. To the extent of any conflict, this Act prevails  
17 over another Act of the 86th Legislature, Regular Session, 2019,  
18 relating to nonsubstantive additions to and corrections in enacted  
19 codes.

20 SECTION 27. This Act takes effect immediately if it  
21 receives a vote of two-thirds of all the members elected to each  
22 house, as provided by Section 39, Article III, Texas Constitution.  
23 If this Act does not receive the vote necessary for immediate  
24 effect, this Act takes effect September 1, 2019.