

By: Taylor

S.B. No. 11

A BILL TO BE ENTITLED

AN ACT

1
2 relating to policies, procedures, and measures for school safety
3 and mental health promotion in public schools; making an
4 appropriation.

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

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

8 Sec. 7.061. FACILITIES STANDARDS. (a) In this section,
9 "instructional facility" has the meaning assigned by Section
10 46.001.

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

17 (1) the design and construction of new facilities; and

18 (2) the improvement, renovation, and retrofitting of
19 existing facilities.

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

1 environment.

2 SECTION 2. Chapter 8, Education Code, is amended by adding
3 Subchapter E to read as follows:

4 SUBCHAPTER E. MENTAL HEALTH AND SUBSTANCE USE RESOURCES FOR
5 SCHOOL DISTRICT PERSONNEL

6 Sec. 8.151. DEFINITIONS. In this subchapter, "local mental
7 health authority" and "non-physician mental health professional"
8 have the meanings assigned by Section 571.003, Health and Safety
9 Code.

10 Sec. 8.152. EMPLOYMENT OF NON-PHYSICIAN MENTAL HEALTH
11 PROFESSIONAL AS MENTAL HEALTH AND SUBSTANCE USE RESOURCE. (a) A
12 local mental health authority shall employ a non-physician mental
13 health professional to serve as a mental health and substance use
14 resource for school districts located in the region served by a
15 regional education service center and in which the local mental
16 health authority provides services.

17 (b) If two or more local mental health authorities provide
18 services in a region served by a regional education service center,
19 the local mental health authority that primarily operates in the
20 county in which the center is located shall employ the
21 non-physician mental health professional and, in making any hiring
22 decision, consult with other local mental health authorities
23 providing services in that region.

24 Sec. 8.153. INTERAGENCY COLLABORATION; MEMORANDUM OF
25 UNDERSTANDING. (a) A local mental health authority that employs a
26 non-physician mental health professional under Section 8.152 and
27 the regional education service center shall collaborate in carrying

1 out this subchapter.

2 (b) Each regional education service center shall provide
3 for a non-physician mental health professional employed for the
4 region served by the center with a space for the professional to
5 carry out the professional's duties under Section 8.155. The local
6 mental health authority that employs the professional shall pay the
7 center a reasonable administrative cost for providing the space.

8 (c) A local mental health authority and a regional education
9 service center may enter into a memorandum of understanding for the
10 administration of this section.

11 Sec. 8.154. SUPERVISION OF NON-PHYSICIAN MENTAL HEALTH
12 PROFESSIONAL. The local mental health authority that employs a
13 non-physician mental health professional under Section 8.152
14 shall:

15 (1) supervise the professional in carrying out the
16 professional's duties under Section 8.155; and

17 (2) consult with any other local mental health
18 authorities in the region in supervising the professional.

19 Sec. 8.155. DUTIES OF NON-PHYSICIAN MENTAL HEALTH
20 PROFESSIONAL. (a) A non-physician mental health professional
21 employed under Section 8.152 shall act as a resource for school
22 district personnel by:

23 (1) helping personnel gain awareness and a better
24 understanding of mental health and co-occurring mental health and
25 substance use disorders;

26 (2) assisting personnel to implement initiatives
27 related to mental health or substance use under state law or agency

1 rules;

2 (3) ensuring personnel are aware of:

3 (A) the list of recommended best practice-based
4 programs and research-based practices developed under Section
5 161.325, Health and Safety Code; and

6 (B) other treatment programs available in the
7 school district, including programs provided by a local mental
8 health authority;

9 (4) on a bimonthly basis, providing personnel with
10 mental health first aid training;

11 (5) on a bimonthly basis, providing personnel with
12 training on prevention and intervention programs that have been
13 shown to be effective in helping students cope with pressures to:

14 (A) use alcohol, cigarettes, or illegal drugs; or

15 (B) misuse prescription drugs; and

16 (6) on an annual basis, providing personnel with
17 training regarding the effects of grief and trauma and providing
18 support to children with intellectual or developmental
19 disabilities who suffer from grief or trauma.

20 (b) A non-physician mental health professional employed
21 under Section 8.152 may not treat or provide counseling to a student
22 or provide specific advice to school district personnel regarding a
23 student.

24 Sec. 8.156. PARTICIPATION BY SCHOOL DISTRICT NOT REQUIRED.

25 This subchapter does not require a school district to participate
26 in training provided by a non-physician mental health professional
27 or otherwise use the professional as a resource.

1 Sec. 8.157. DISTRIBUTION OF FUNDING. A state agency to
2 which money is appropriated to carry out this subchapter shall
3 ensure that the money is distributed equally among the local mental
4 health authorities that employ and supervise non-physician mental
5 health professionals under this subchapter.

6 Sec. 8.158. REPORT. (a) Before the last business day of
7 each calendar year, each local mental health authority that employs
8 and supervises a non-physician mental health professional under
9 this subchapter shall prepare and submit a report to the Health and
10 Human Services Commission regarding the outcomes for school
11 districts and students resulting from services provided by the
12 non-physician mental health professional.

13 (b) Not later than January 31 of the following calendar
14 year, the commission shall compile the information submitted under
15 this section and prepare and submit a report to the lieutenant
16 governor, the speaker of the house of representatives, each
17 standing committee of the legislature having primary jurisdiction
18 over mental health, and each standing committee of the legislature
19 having primary jurisdiction over public education.

20 SECTION 3. Section 11.252(a), Education Code, is amended to
21 read as follows:

22 (a) Each school district shall have a district improvement
23 plan that is developed, evaluated, and revised annually, in
24 accordance with district policy, by the superintendent with the
25 assistance of the district-level committee established under
26 Section 11.251. The purpose of the district improvement plan is to
27 guide district and campus staff in the improvement of student

1 performance for all student groups in order to attain state
2 standards in respect to the achievement indicators adopted under
3 Section 39.053(c). The district improvement plan must include
4 provisions for:

5 (1) a comprehensive needs assessment addressing
6 district student performance on the achievement indicators, and
7 other appropriate measures of performance, that are disaggregated
8 by all student groups served by the district, including categories
9 of ethnicity, socioeconomic status, sex, and populations served by
10 special programs, including students in special education programs
11 under Subchapter A, Chapter 29;

12 (2) measurable district performance objectives for
13 all appropriate achievement indicators for all student
14 populations, including students in special education programs
15 under Subchapter A, Chapter 29, and other measures of student
16 performance that may be identified through the comprehensive needs
17 assessment;

18 (3) strategies for improvement of student performance
19 that include:

20 (A) instructional methods for addressing the
21 needs of student groups not achieving their full potential;

22 (B) methods for addressing the needs of students
23 for special programs, including:

24 (i) suicide prevention programs, in
25 accordance with Subchapter O-1, Chapter 161, Health and Safety
26 Code, which includes a parental or guardian notification procedure;

27 (ii) conflict resolution programs;

- 1 (iii) violence prevention programs; and
2 (iv) dyslexia treatment programs;
3 (C) dropout reduction;
4 (D) integration of technology in instructional
5 and administrative programs;
6 (E) discipline management;
7 (F) staff development for professional staff of
8 the district;
9 (G) career education to assist students in
10 developing the knowledge, skills, and competencies necessary for a
11 broad range of career opportunities; and
12 (H) accelerated education;
13 (4) strategies for providing to middle school, junior
14 high school, and high school students, those students' teachers and
15 school counselors, and those students' parents information about:
16 (A) higher education admissions and financial
17 aid opportunities;
18 (B) the TEXAS grant program and the Teach for
19 Texas grant program established under Chapter 56;
20 (C) the need for students to make informed
21 curriculum choices to be prepared for success beyond high school;
22 and
23 (D) sources of information on higher education
24 admissions and financial aid;
25 (5) resources needed to implement identified
26 strategies;
27 (6) staff responsible for ensuring the accomplishment

1 of each strategy;

2 (7) timelines for ongoing monitoring of the
3 implementation of each improvement strategy;

4 (8) formative evaluation criteria for determining
5 periodically whether strategies are resulting in intended
6 improvement of student performance; ~~and~~

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

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

11 SECTION 4. Section 12.104(b), Education Code, as amended by
12 Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts
13 of the 85th Legislature, Regular Session, 2017, is reenacted and
14 amended to read as follows:

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

16 (1) a provision of this title establishing a criminal
17 offense; and

18 (2) a prohibition, restriction, or requirement, as
19 applicable, imposed by this title or a rule adopted under this
20 title, relating to:

21 (A) the Public Education Information Management
22 System (PEIMS) to the extent necessary to monitor compliance with
23 this subchapter as determined by the commissioner;

24 (B) criminal history records under Subchapter C,
25 Chapter 22;

26 (C) reading instruments and accelerated reading
27 instruction programs under Section 28.006;

- 1 (D) accelerated instruction under Section
2 [28.0211](#);
- 3 (E) high school graduation requirements under
4 Section [28.025](#);
- 5 (F) special education programs under Subchapter
6 A, Chapter [29](#);
- 7 (G) bilingual education under Subchapter B,
8 Chapter [29](#);
- 9 (H) prekindergarten programs under Subchapter E
10 or E-1, Chapter [29](#);
- 11 (I) extracurricular activities under Section
12 [33.081](#);
- 13 (J) discipline management practices or behavior
14 management techniques under Section [37.0021](#);
- 15 (K) health and safety under Chapter [38](#);
- 16 (L) public school accountability under
17 Subchapters B, C, D, F, G, and J, Chapter [39](#), and Chapter [39A](#);
- 18 (M) the requirement under Section [21.006](#) to
19 report an educator's misconduct;
- 20 (N) intensive programs of instruction under
21 Section [28.0213](#);
- 22 (O) the right of a school employee to report a
23 crime, as provided by Section [37.148](#); ~~and~~
- 24 (P) bullying prevention policies and procedures
25 under Section [37.0832](#);
- 26 (Q) the right of a school under Section [37.0052](#)
27 to place a student who has engaged in certain bullying behavior in a

1 disciplinary alternative education program or to expel the student;
2 [~~and~~]

3 (R) the right under Section 37.0151 to report to
4 local law enforcement certain conduct constituting assault or
5 harassment;

6 (S) [~~(P)~~] a parent's right to information
7 regarding the provision of assistance for learning difficulties to
8 the parent's child as provided by Sections 26.004(b)(11) and
9 26.0081(c) and (d); and

10 (T) school safety requirements under Sections
11 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207,
12 37.2071, and 37.220.

13 SECTION 5. Sections 21.054(d) and (d-2), Education Code,
14 are amended to read as follows:

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

18 (1) collecting and analyzing information that will
19 improve effectiveness in the classroom;

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

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

24 (4) educating diverse student populations, including:

25 (A) students with disabilities, including mental
26 health disorders;

27 (B) students who are educationally

1 disadvantaged;

2 (C) students of limited English proficiency; and

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

4 ~~and~~

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

7 ~~and~~

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

13 (d-2) The instruction required under Subsection (d)(6)
14 must:

15 (1) comply with the training required by Section
16 38.036(c)(1); and

17 (2) be approved by the commissioner.

18 SECTION 6. Section 37.108, Education Code, is amended by
19 amending Subsections (a), (b), and (c) and adding Subsections (b-1)
20 and (f) to read as follows:

21 (a) Each school district or public junior college district
22 shall adopt and implement a multihazard emergency operations plan
23 for use in the district's facilities. The plan must address
24 mitigation, preparedness, response, and recovery as defined by the
25 Texas School Safety Center in conjunction with the governor's
26 office of homeland security and the commissioner of education or
27 commissioner of higher education, as applicable ~~[in conjunction~~

1 ~~with the governor's office of homeland security~~]. The plan must
2 provide for:

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

5 (2) measures to ensure district employees, including
6 substitute teachers, have classroom access to a telephone or
7 another electronic communication device allowing for immediate
8 contact with district emergency services or emergency services
9 agencies, law enforcement agencies, health departments, and fire
10 departments;

11 (3) if the plan applies to a school district,
12 mandatory school drills and exercises, including drills required
13 under Section 37.114, to prepare district students and employees
14 for responding to an emergency;

15 (4) ~~[(3)]~~ measures to ensure coordination with the
16 Department of State Health Services and local emergency management
17 agencies, law enforcement, health departments, and fire
18 departments in the event of an emergency; and

19 (5) ~~[(4)]~~ the implementation of a safety and security
20 audit as required by Subsection (b).

21 (b) At least once every three years, each school district or
22 public junior college district shall conduct a safety and security
23 audit of the district's facilities. To the extent possible, a
24 district shall follow safety and security audit procedures
25 developed by the Texas School Safety Center or a person included in
26 the registry established by the Texas School Safety Center under
27 Section 37.2091 ~~[comparable public or private entity]~~.

1 (b-1) In a school district's safety and security audit
2 required under Subsection (b), the district must certify that the
3 district used the funds provided to the district through the school
4 safety allotment under Section 42.168 only for the purposes
5 provided by that section.

6 (c) A school district or public junior college district
7 shall report the results of the safety and security audit conducted
8 under Subsection (b) to the district's board of trustees and, in the
9 manner required by the Texas School Safety Center, to the Texas
10 School Safety Center. The report provided to the Texas School
11 Safety Center under this subsection must be signed by the
12 district's board of trustees and superintendent. The Texas School
13 Safety Center shall compile school district audit results and
14 report them to the agency.

15 (f) A school district shall include in its multihazard
16 emergency operations plan:

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

21 (2) provisions for responding to a natural disaster,
22 active shooter, and any other dangerous scenario identified for
23 purposes of this section by the agency or the Texas School Safety
24 Center;

25 (3) provisions for ensuring the safety of students in
26 portable buildings;

27 (4) provisions for providing immediate notification

1 to parents, guardians, and other persons standing in parental
2 relation in circumstances involving a significant threat to the
3 health or safety of students, including identification of the
4 individual with responsibility for overseeing the notification;

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

9 (6) the name of each individual on the district's
10 school safety and security committee established under Section
11 37.109 and the date of each committee meeting during the preceding
12 year.

13 SECTION 7. Subchapter D, Chapter 37, Education Code, is
14 amended by adding Sections 37.1081 and 37.1082 to read as follows:

15 Sec. 37.1081. PUBLIC HEARING ON MULTHAZARD EMERGENCY
16 OPERATIONS PLAN NONCOMPLIANCE. (a) If the board of trustees of a
17 school district receives notice of noncompliance under Section
18 37.207(e) or 37.2071(g), the board shall hold a public hearing to
19 notify the public of:

20 (1) the district's failure to:

21 (A) submit or correct deficiencies in a
22 multihazard emergency operations plan; or

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

25 (2) the dates during which the district has not been in
26 compliance; and

27 (3) the names of each member of the board of trustees

1 and the superintendent serving in that capacity during the dates
2 the district was not in compliance.

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

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

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

14 Sec. 37.1082. MULTHAZARD EMERGENCY OPERATIONS PLAN
15 NONCOMPLIANCE; APPOINTMENT OF CONSERVATOR OR BOARD OF MANAGERS.

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

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

27 (c) The commissioner may adopt rules as necessary to

1 administer this section.

2 SECTION 8. Section 37.109, Education Code, is amended by
3 adding Subsections (a-1), (c), and (d) and amending Subsection (b)
4 to read as follows:

5 (a-1) The committee must include:

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

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

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

13 (4) one or more representatives of a municipality with
14 territory included within the boundaries of the district;

15 (5) the president of the district's board of trustees;

16 (6) a member of the district's board of trustees other
17 than the president;

18 (7) the district's superintendent;

19 (8) one or more designees of the district's
20 superintendent, one of whom must be a classroom teacher in the
21 district;

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

26 (10) two parents or guardians of students enrolled in
27 the district.

1 (b) The committee shall:

2 (1) participate on behalf of the district in
3 developing and implementing emergency plans consistent with the
4 district multihazard emergency operations plan required by Section
5 37.108(a) to ensure that the plans reflect specific campus,
6 facility, or support services needs;

7 (2) periodically provide recommendations to the
8 district's board of trustees and district administrators regarding
9 updating the district multihazard emergency operations plan
10 required by Section 37.108(a) in accordance with best practices
11 identified by the agency, the Texas School Safety Center, or a
12 person included in the registry established by the Texas School
13 Safety Center under Section 37.2091;

14 (3) provide the district with any campus, facility, or
15 support services information required in connection with a safety
16 and security audit required by Section 37.108(b), a safety and
17 security audit report required by Section 37.108(c), or another
18 report required to be submitted by the district to the Texas School
19 Safety Center; ~~and~~

20 (4) ~~(3)~~ review each report required to be submitted
21 by the district to the Texas School Safety Center to ensure that the
22 report contains accurate and complete information regarding each
23 campus, facility, or support service in accordance with criteria
24 established by the center; and

25 (5) consult with local law enforcement agencies on
26 methods to increase law enforcement presence near district
27 campuses.

1 (c) Except as otherwise provided by this subsection, the
2 committee shall meet at least once during each academic semester
3 and at least once during the summer. A committee established by a
4 school district that operates schools on a year-round system or in
5 accordance with another alternative schedule shall meet at least
6 three times during each calendar year, with an interval of at least
7 two months between each meeting.

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

12 SECTION 9. Subchapter D, Chapter 37, Education Code, is
13 amended by adding Sections 37.113, 37.114, and 37.115 to read as
14 follows:

15 Sec. 37.113. NOTIFICATION REGARDING BOMB THREAT OR
16 TERRORISTIC THREAT. A school district that receives a bomb threat
17 or terroristic threat relating to a campus or other district
18 facility at which students are present shall provide notification
19 of the threat as soon as possible to the parent or guardian of or
20 other person standing in parental relation to each student who is
21 assigned to the campus or who regularly uses the facility, as
22 applicable.

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

26 (1) providing procedures for evacuating and securing
27 school property during an emergency; and

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

- 4 (A) evacuation fire exit drills; and
5 (B) lockdown, lockout, shelter-in-place, and
6 evacuation drills.

7 Sec. 37.115. THREAT ASSESSMENT TEAMS. (a) In this section,
8 "threatening behaviors" include behaviors by a student that could
9 result in the student's expulsion or removal to a disciplinary
10 alternative education program or a juvenile justice alternative
11 education program, including verbal threats, fighting, the use or
12 possession of a weapon, or assault.

13 (b) The board of trustees of each school district shall
14 establish threat assessment teams to serve at each campus of the
15 district and shall adopt policies and procedures for the teams. The
16 threat assessment team is responsible for determining the
17 appropriate method for the assessment and intervention of
18 individuals who make threats of violence or exhibit threatening
19 behaviors on the campus. The policies and procedures adopted under
20 this section must:

21 (1) be consistent with the model policies and
22 procedures developed by the Texas School Safety Center under
23 Section 37.220;

24 (2) require threat assessment teams to complete
25 training provided by the Texas School Safety Center or a regional
26 education service center regarding evidence-based threat
27 assessment programs; and

1 (3) require each threat assessment team established
2 under this section to report the information required under
3 Subsection (h) regarding the team's activities to the agency.

4 (c) The superintendent of the district shall appoint
5 members to each threat assessment team with expertise in
6 counseling, classroom instruction, school administration, and law
7 enforcement. A threat assessment team may serve more than one
8 campus of a school district, provided that each district campus is
9 assigned a threat assessment team.

10 (d) A threat assessment team shall:

11 (1) assess and report individuals who make threats of
12 violence or exhibit threatening behavior in accordance with the
13 policies and procedures adopted under Subsection (b); and

14 (2) provide guidance to students and school employees
15 regarding:

16 (A) recognizing threatening behavior that may
17 pose a threat to the community, school, or individual; and

18 (B) reporting potential threats, including
19 providing information regarding to whom potential threats should be
20 reported.

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

1 school from acting immediately to prevent an imminent threat or
2 respond to an emergency.

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

9 (g) A threat assessment team identifying a student using or
10 possessing tobacco, drugs, or alcohol shall act in accordance with
11 district policies and procedures related to substance abuse
12 prevention and intervention.

13 (h) A threat assessment team must report to the agency in
14 accordance with guidelines developed by the agency the following
15 information regarding the team's activities for each school
16 district campus the threat assessment team serves:

17 (1) the occupation of each person appointed to the
18 team;

19 (2) the number of threats and a description of the type
20 of the threats reported to the team;

21 (3) the outcome of each assessment made by the threat
22 assessment team, including:

23 (A) any disciplinary action taken, including a
24 change in school placement;

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

26 (C) a referral to or change in counseling, mental
27 health, special education, or other services; and

1 (4) the total number, disaggregated by student gender,
2 race, and status as receiving special education services, of:

3 (A) citations issued for Class C misdemeanor
4 offenses;

5 (B) arrests made in connection with reported
6 threats; and

7 (C) incidents of uses of restraint in connection
8 with a threat assessment or reported threat.

9 (i) The superintendent of a school district may establish a
10 committee, or assign to an existing committee established by the
11 district the duty, to oversee the operations of threat assessment
12 teams established for the district. A committee with oversight
13 responsibility under this subsection must include members with
14 expertise in human resources, education, school administration,
15 mental health, and law enforcement.

16 SECTION 10. Section 37.207, Education Code, is amended by
17 adding Subsections (c), (d), and (e) to read as follows:

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

23 (d) If a district fails to report the results of its audit as
24 required under Subsection (b), the center shall provide the
25 district with written notice that the district has failed to report
26 its audit results and must immediately report the results to the
27 center.

1 (e) If six months after the date of the initial notification
2 required by Subsection (d) the district has still not reported the
3 results of its audit to the center, the center shall notify the
4 agency and the district of the district's requirement to conduct a
5 public hearing under Section 37.1081. This subsection applies only
6 to a school district.

7 SECTION 11. Subchapter G, Chapter 37, Education Code, is
8 amended by adding Section 37.2071 to read as follows:

9 Sec. 37.2071. DISTRICT MULTIHAZARD EMERGENCY OPERATIONS
10 PLAN REVIEW AND APPROVAL. (a) The center shall establish a random
11 or need-based cycle for the center's review and approval of school
12 district and public junior college district multihazard emergency
13 operations plans adopted under Section 37.108. The cycle must
14 provide for each district's plan to be reviewed at least once every
15 three years.

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

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

22 (1) approve the plan; or

23 (2) provide the district with written notice:

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

25 (B) stating that the district must correct the
26 deficiencies in its plan and resubmit the revised plan to the
27 center.

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

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

5 (2) must submit a plan to the center for approval.

6 (e) The center may approve a district multihazard emergency
7 operations plan that has deficiencies if the district submits a
8 revised plan that the center determines will correct the
9 deficiencies.

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

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

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

25 (i) Any document or information collected, developed, or
26 produced during the review and approval of multihazard emergency
27 operations plans under this section is not subject to disclosure

1 under Chapter 552, Government Code.

2 SECTION 12. Section 37.2091(d), Education Code, is amended
3 to read as follows:

4 (d) The center shall verify the information provided by a
5 person under Subsection (c) to confirm [~~registry is intended to~~
6 ~~serve only as an informational resource for school districts and~~
7 ~~institutions of higher education. The inclusion of a person in the~~
8 ~~registry is not an indication of] the person's qualifications and
9 [or] ability to provide school safety or security consulting
10 services before adding the person to the registry [~~or that the~~
11 ~~center endorses the person's school safety or security consulting~~
12 ~~services].~~~~

13 SECTION 13. Subchapter G, Chapter 37, Education Code, is
14 amended by adding Section 37.220 to read as follows:

15 Sec. 37.220. MODEL THREAT ASSESSMENT TEAM POLICIES AND
16 PROCEDURES. (a) The center shall develop model policies and
17 procedures to assist school districts in establishing and training
18 threat assessment teams.

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

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

23 (2) the referral of a student for a full individual and
24 initial evaluation for special education services under Section
25 29.004.

26 SECTION 14. Subchapter A, Chapter 38, Education Code, is
27 amended by adding Section 38.036 to read as follows:

1 Sec. 38.036. TRAUMA-INFORMED CARE POLICY. (a) Each school
2 district shall adopt and implement a policy requiring the
3 integration of trauma-informed practices in each school
4 environment.

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

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

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

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

12 (2) available counseling options for students
13 affected by trauma or toxic stress.

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

17 (1) must be provided:

18 (A) through an evidence-based,
19 evidence-informed, or promising practices training program that
20 addresses the effects of trauma and is approved by the agency; and

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

23 (2) may be included in staff development provided
24 under Section 21.451.

25 (d) For any training provided under Subsection (c), each
26 school district shall maintain records that include the name of
27 each district staff member who participated in the training.

1 (e) If a school district determines that the district does
2 not have sufficient resources to provide the training required
3 under Subsection (c), the district shall make reasonable efforts to
4 collaborate with a community organization to provide training that
5 meets the requirements of Subsection (c) at no cost to the district.

6 (f) The commissioner shall adopt rules as necessary to
7 administer this section.

8 SECTION 15. Subchapter C, Chapter 42, Education Code, is
9 amended by adding Section 42.168 to read as follows:

10 Sec. 42.168. SCHOOL SAFETY ALLOTMENT. (a) A school
11 district is entitled to an annual allotment of \$50, or a greater
12 amount provided by appropriation, for each student in average daily
13 attendance.

14 (b) Funds allocated under this section must be used to
15 improve school safety and security, including costs associated
16 with:

17 (1) securing school facilities, including:

18 (A) improvements to school infrastructure;

19 (B) the use or installation of physical barriers;

20 and

21 (C) the purchase and maintenance of security
22 cameras or other security equipment;

23 (2) providing security for the district, including:

24 (A) employing school district peace officers,
25 private security officers, and school marshals; and

26 (B) collaborating with local law enforcement
27 agencies, such as entering into a memorandum of understanding for

1 the assignment of school resource officers to schools in the
2 district; and

3 (3) school safety and security training and planning,
4 including:

5 (A) active shooter and emergency response
6 training; and

7 (B) prevention and treatment programs relating
8 to addressing adverse childhood experiences.

9 (c) A school district that is required to take action under
10 Chapter 41 to reduce its wealth per student to the equalized wealth
11 level is entitled to a credit, in the amount of the allotments to
12 which the district is entitled under this section, against the
13 total amount required under Section 41.093 for the district to
14 purchase attendance credits.

15 (d) The commissioner may adopt rules to implement this
16 section.

17 SECTION 16. Section 45.001(a), Education Code, is amended
18 to read as follows:

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

25 (1) issue bonds for:

26 (A) the construction, acquisition, and equipment
27 of school buildings in the district;

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

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

8 (D) the purchase of new school buses;

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

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

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

17 SECTION 17. Chapter 61, Education Code, is amended by
18 adding Subchapter LL to read as follows:

19 SUBCHAPTER LL. REPAYMENT OF CERTAIN SCHOOL COUNSELOR EDUCATION

20 LOANS

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

26 Sec. 61.9852. ELIGIBILITY. To be eligible to receive loan
27 repayment assistance under this subchapter, a school counselor

1 must:

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

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

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

9 (4) be certified as a school counselor under
10 Subchapter B, Chapter 21; and

11 (5) have completed one, two, three, four, or five
12 years of consecutive employment by a school district in this state:

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

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

18 Sec. 61.9853. LIMITATIONS. A school counselor may receive
19 loan repayment assistance under this subchapter for not more than
20 five years.

21 Sec. 61.9854. ELIGIBLE LOANS. (a) The board may provide
22 loan repayment assistance under this subchapter for the repayment
23 of any student loan for education at an institution of higher
24 education, a private or independent institution of higher
25 education, or a public or private out-of-state institution of
26 higher education accredited by a recognized accrediting agency,
27 including loans for undergraduate education, received by an

1 eligible person through any lender.

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

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

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

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

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

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

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

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

23 (2) for the second year, 15 percent;

24 (3) for the third year, 20 percent;

25 (4) for the fourth year, 25 percent; and

26 (5) for the fifth year, 30 percent.

27 (b) The total amount of repayment assistance received by a

1 school counselor under this subchapter may not exceed:

2 (1) \$80,000, for assistance received by a school
3 counselor who holds a doctoral degree related to counseling; and

4 (2) \$40,000, for assistance received by a school
5 counselor who holds a master's degree related to counseling.

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

8 (1) the total amount of gifts and grants accepted by
9 the board for the repayment assistance;

10 (2) legislative appropriations for the repayment
11 assistance; and

12 (3) other funds available to the board for the
13 repayment assistance.

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

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

20 (b) The board shall distribute to each institution of higher
21 education or private or independent institution of higher education
22 and to any appropriate state agency and professional association
23 copies of the rules adopted under this section and other pertinent
24 information relating to this subchapter.

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

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

4 SECTION 18. The amount of \$_____ is appropriated from the
5 economic stabilization fund to the foundation school fund for use
6 by the commissioner of education to make grants to school districts
7 and open-enrollment charter schools in accordance with this Act and
8 commissioner rule during the state fiscal biennium beginning
9 September 1, 2019, for improvements in the security of school
10 facilities.

11 SECTION 19. From among school districts and open-enrollment
12 charter schools that apply in the time and manner established by the
13 commissioner of education for a grant of money under this Act to pay
14 for school security improvements, the commissioner shall select
15 those school districts and open-enrollment charter schools that
16 best meet the criteria adopted for the purpose by the commissioner.
17 The criteria must include:

18 (1) a school district's or open-enrollment charter
19 school's need for improvements in the security of district or
20 school facilities;

21 (2) a school district's or open-enrollment charter
22 school's ability to pay for the improvements without the grant; and

23 (3) the school security improvement plan provided by
24 the school district or open-enrollment charter school and the
25 likely effectiveness of that plan in improving school security.

26 SECTION 20. Not later than January 1, 2020:

27 (1) the Texas School Safety Center shall:

1 (A) develop a list of best practices for ensuring
2 the safety of public school students receiving instruction in
3 portable buildings; and

4 (B) provide information regarding the list of
5 best practices to school districts using portable buildings for
6 student instruction;

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

10 (3) the commissioner of education, in consultation
11 with the Texas School Safety Center and the state fire marshal,
12 shall adopt rules as required by Section 37.114, Education Code, as
13 added by this Act.

14 SECTION 21. To the extent of any conflict, this Act prevails
15 over another Act of the 86th Legislature, Regular Session, 2019,
16 relating to nonsubstantive additions to and corrections in enacted
17 codes.

18 SECTION 22. (a) Except as provided by Subsection (b) of
19 this section, this Act takes effect September 1, 2019.

20 (b) Sections 18 and 19 of this Act take effect September 1,
21 2019, but only if this Act receives a vote of two-thirds of the
22 members present in each house of the legislature, as provided by
23 Section 49-g(m), Article III, Texas Constitution.