

By: Powell

S.B. No. 992

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

Sec. 38.301. DEFINITIONS. In this subchapter:

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

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

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

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

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

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

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

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

4 Sec. 38.303. MEMBERSHIP. (a) The task force is composed
5 of:

6 (1) the commissioner or the commissioner's designee;
7 and

8 (2) six additional members appointed by the
9 commissioner as follows:

10 (A) one parent of a student who is enrolled in a
11 school district or open-enrollment charter school and receives the
12 mental health services described by Section 38.302(1);

13 (B) one person who provides the mental health
14 services described by Section 38.302(1) or the training described
15 by Section 38.302(2) and who is:

16 (i) a licensed specialist in school
17 psychology, as defined by Section 501.002, Occupations Code;

18 (ii) a licensed professional counselor, as
19 defined by Section 503.002, Occupations Code;

20 (iii) a licensed clinical social worker, as
21 defined by Section 505.002, Occupations Code; or

22 (iv) a school counselor certified under
23 Subchapter B, Chapter 21;

24 (C) one person who is an administrator of a
25 district or school that provides the mental health services
26 described by Section 38.302(1) or the training described by Section
27 38.302(2);

1 (D) one person who is a member of a foundation
2 that invests in the mental health services described by Section
3 38.302(1) or the training described by Section 38.302(2); and

4 (E) two persons, each of whom is an employee of an
5 institution of higher education designated under Section 38.307.

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

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

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

14 (b) The task force:

15 (1) shall at its initial meeting select a presiding
16 officer from among its members for the purpose of calling and
17 conducting meetings; and

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

20 Sec. 38.305. COMPENSATION; REIMBURSEMENT. A member of the
21 task force may not receive compensation or reimbursement for
22 service on the task force.

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

26 (b) The task force may meet at other times the task force
27 considers appropriate. The presiding officer may call a meeting on

1 the officer's own motion.

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

3 Sec. 38.307. SUPPORT SERVICES FOR TASK FORCE. (a) The
4 commissioner shall designate one institution of higher education
5 with experience in evaluating mental health services to serve as
6 the lead institution for the task force. The institution
7 designated under this subsection shall provide faculty, staff, and
8 administrative support services to the task force as determined
9 necessary by the task force to administer this subchapter.

10 (b) The commissioner shall designate two institutions of
11 higher education with experience in evaluating mental health
12 services to assist the task force and the lead institution
13 designated under Subsection (a) as determined necessary by the task
14 force to administer this subchapter.

15 (c) In making a designation under this section, the
16 commissioner shall give preference to at least one predominantly
17 black institution, as defined by 20 U.S.C. Section 1067q(c)(9).

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

21 Sec. 38.308. DUTIES OF TASK FORCE. (a) The task force
22 shall:

23 (1) gather data on the race, ethnicity, gender,
24 special education status, and geographic location of individuals
25 who are provided the mental health services described by Section
26 38.302(1); and

27 (2) study, evaluate, and make recommendations

1 regarding the mental health services described by Section 38.302(1)
2 and the training described by Section 38.302(2), including
3 addressing:

4 (A) the outcomes and the effectiveness of the
5 services and training provided, including the outcomes and
6 effectiveness of the service and training providers and the
7 programs under which services and training are provided, in:

8 (i) improving student academic achievement
9 and attendance;

10 (ii) reducing student disciplinary
11 proceedings, suspensions, placements in a disciplinary alternative
12 education program, and expulsions;

13 (iii) providing early mental health
14 prevention and intervention;

15 (iv) building skills relating to managing
16 emotions, establishing and maintaining positive relationships, and
17 making responsible decisions;

18 (v) preventing substance abuse;

19 (vi) preventing suicides;

20 (vii) adhering to the purpose of the
21 relevant program services or training;

22 (viii) promoting trauma-informed
23 practices; and

24 (ix) promoting a positive school climate,
25 including improving safety in the district or school;

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

1 (C) disparities in the race, ethnicity, gender,
2 special education status, and geographic location of individuals
3 receiving the services.

4 (b) The task force may evaluate mental health services
5 funded from a source other than a competitive grant that are
6 provided to students enrolled in a school district or
7 open-enrollment charter school.

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

14 Sec. 38.310. GIFTS AND GRANTS; ADMINISTRATIVE COST
15 RESTRICTION. (a) The task force may accept a gift or grant from a
16 private individual, a foundation, or the federal government.

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

20 Sec. 38.311. EXPIRATION. The task force is abolished and
21 this subchapter expires December 1, 2022.

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

24 (1) appoint the members of the Collaborative Task
25 Force on Public School Mental Health Services, as required by
26 Section 38.303, Education Code, as added by this Act; and

27 (2) designate the institutions of higher education to

1 provide support services, as required by Section 38.307, Education
2 Code, as added by this Act.

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