

BILL ANALYSIS

Senate Research Center

H.B. 2954
By: Thompson, Senfronia et al. (Powell)
Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Prior to COVID-19, suicide was the second leading cause of death for children ages 10-14 in the United States and in Texas. COVID-19 isolation and disruptions to students have exacerbated concerns about proactively addressing mental health among students. To mitigate unnecessary and progressive displays of mental health struggles leading to suicide, it is imperative that elementary schools are equipped to address mental health concerns in students in their earliest stages of development.

H.B. 2954 seeks to create an elective program that provides elementary schools with tailored assistance in accessing public and private mental health resources, recommendations for best practices, and assistance with implementing best practices on-campus. The program would be specifically designed to prevent suicide among elementary school students.

H.B. 2954 amends current law relating to a suicide prevention, intervention, and postvention program for certain public elementary school campuses.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 38.3515, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter G, Chapter 38, Education Code, by adding Section 38.3515, as follows:

Sec. 38.3515. SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION PROGRAM. (a) Defines, for purposes of this section, "licensed mental health professional" and "postvention."

(b) Requires the Texas Education Agency (TEA), in coordination with the Health and Human Services Commission (HHSC), to the extent funds are appropriated to TEA for that purpose, to establish a suicide prevention, intervention, and postvention program for optional implementation at an elementary school campus of a school district or open-enrollment charter school described by Subsection (c).

(c) Provides that a school district or open-enrollment charter school is eligible to participate in the program established under this section if the district or school or a campus of the district or school has:

(1) experienced suicide loss among elementary school students enrolled in the district or school in the 2016-2017 school year or a subsequent school year; or

(2) a reasonable concern regarding the risk of suicide among elementary school students enrolled in the district or school based on:

(A) students' exposure to traumatic events or experiences, including the loss of an educator or another student in the district; or

(B) increased rates of traumatic stress symptoms, including self-harm or incidents of bullying on a district or school campus.

(d) Authorizes TEA to prioritize for funding purposes school districts or open-enrollment charter schools described by Subsection (c)(1). Authorizes a school district or open-enrollment charter school that implements the program to prioritize campuses within the district or school to participate in the program based on the direct impact of student suicides on the campuses.

(e) Requires the school district or open-enrollment charter school, for each elementary school campus at which the program is implemented, to:

(1) conduct a needs-based assessment to identify individual needs of each campus in the program;

(2) coordinate with HHSC and a district or school that has implemented a comprehensive Suicide Safer Early Intervention and Prevention system, a program through Project AWARE (Advancing Wellness and Resiliency in Education), or another similar primary prevention, intervention, and postvention program to provide school-based suicide prevention best practices for each campus in the program;

(3) provide recommendations for research-based best practices for suicide prevention, intervention, and postvention policies;

(4) ensure that informational materials distributed by an eligible district are age-appropriate and evidence-based; and

(5) provide suicide prevention, intervention, and postvention support to each campus in the program, including by:

(A) identifying the individual needs of the campus through the assessment conducted under Subdivision (1); and

(B) implementing research-based best practices for suicide prevention, intervention, and postvention by working with licensed mental health professionals, teachers, nurses, administrators, and other staff, as well as law enforcement officers and social workers who regularly interact with students, to prevent suicide among students enrolled at the campus.

(f) Requires each school district or open-enrollment charter school that implements the program under this section to provide written notice to a parent or guardian of each student enrolled at a campus in the program. Sets forth certain information required to be included in the written notice.

(g) Requires a district or school that implements the program, in addition to the practices and procedures developed by a school district under Section 38.351(i) (relating to policies and procedures for certain mental health promotion and intervention areas), to develop practices and procedures concerning suicide prevention, intervention, and postvention that:

(1) include a procedure for providing notice to a parent or guardian of a student regarding a recommendation for early mental health intervention for the student within a reasonable amount of time after the identification of early warning signs of risk for suicide, including:

- (A) declining academic performance;
- (B) depression;
- (C) anxiety;
- (D) isolation;
- (E) unexplained changes in sleep or eating habits; and
- (F) destructive behavior toward self and others;

(2) include a procedure for providing notice of a student identified as at risk of attempting suicide, including a student who is or may be the victim of or who engages in bullying, to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs, including the signs listed in Subdivision (1);

(3) designate at least one person to act as a liaison officer in the district or school for the purposes of identifying students in need of suicide prevention, intervention, and postvention;

(4) provide information concerning available counseling alternatives to parents and guardians of district or school students to consider when a student is identified as possibly in need of suicide prevention, intervention, and postvention; and

(5) include procedures to support the return of a student to regular school attendance following hospitalization or residential treatment for a mental health condition or substance abuse.

(h) Requires that the practices and procedures developed under Subsection (g) be included in the annual student handbook and the district improvement plan under Section 11.252 (District-Level Planning and Decision-Making).

(i) Authorizes any school district or open-enrollment charter school that implements the program to contract with a regional education service center for services and request the assistance of public and private community-based mental health resources.

(j) Provides that TEA is authorized to accept donations for purposes of this section from sources without a conflict of interest and is prohibited from accepting donations for purposes of this section from an anonymous source.

(k) Provides that nothing in this section is intended to interfere with the rights of parents or guardians and the decision-making regarding the best interest of the child. Provides that practices and procedures developed in accordance with this section are intended to notify a parent or guardian of a need for suicide prevention, intervention, or postvention so that a parent or guardian may take appropriate action.

(l) Provides that nothing in this section authorizes a school district or open-enrollment charter school employee to recommend prescription medication for a student or to interfere with medical decisions to be made by the student's parent or guardian.

(m) Requires the commissioner of education to adopt rules to administer this section.

(n) Provides that this section expires September 1, 2025.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 3. Provides that TEA is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Provides that if the legislature does not appropriate money specifically for that purpose, TEA is authorized, but is not required, to implement a provision of this Act using other appropriations available for that purpose.

SECTION 4. Effective date: upon passage or September 1, 2021.