

BILL ANALYSIS

Senate Research Center
88R2407 ANG-D

H.B. 473
By: Hull (Sparks)
Education
4/24/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2019, the 86th Legislature passed S.B. 11, a comprehensive school safety and mental health bill that among other things required that the board of trustees of each district establish a Threat Assessment and Safe and Supportive School Program and Team. The team is tasked with conducting threat assessments that include assessing and reporting individuals who make threats of violence, or exhibit harmful, threatening, or violent behavior and gathering and analyzing data to determine the level of risk and appropriate intervention, including referring a student for mental health assessment and implementing an escalation procedure if appropriate. If a student is determined to pose a serious risk of harm to themselves or others, then the superintendent must immediately notify the student's parent or person standing in parental relation to the student.

Interested parties contend that parents should be notified in all instances of a threat assessment being conducted on their child, and provided the opportunity to participate or provide information to the threat assessment team.

Because parents often have vital information regarding their child and should be afforded the right to participate in any assessments conducted on their child, H.B. 473 would require a Threat Assessment and Safe and Supportive Schools Team to notify the parent or person standing in parental relation to the student before conducting a threat assessment and allow them the opportunity to participate or provide information to the team.

H.B. 473 amends current law relating to parental rights regarding a threat assessment of a student conducted by a public school's threat assessment and safe and supportive school team.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.115, Education Code, by adding Subsections (f-1) and (f-2), as follows:

(f-1) Requires a public school's threat assessment and supportive school team (team), before the team is authorized conduct a threat assessment of a student, to notify the parent of or person standing in parental relation to the student regarding the assessment. Requires the team, in conducting the assessment, to provide an opportunity for the parent or person to:

- (1) participate in the assessment, either in person or remotely; and
- (2) submit to the team information regarding the student.

(f-2) Requires the team, after completing a threat assessment of a student, to provide to the parent of or person standing in parental relation to the student the team's findings and conclusions regarding the student.

SECTION 2. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 3. Effective date: upon passage or September 1, 2023.