

BILL ANALYSIS

Senate Research Center
88R18982 ANG-D

C.S.H.B. 473
By: Hull (Sparks)
Education
5/8/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2019, the 86th Legislature passed S.B. 11, which created safe and supportive school teams and threat assessments in school districts across Texas.

Safe and supportive school teams are multi-tiered support systems that review threat reports, conduct threat assessments, and develop interventions to support students who pose such threats at school. These teams address behavioral and mental health and wellness of students, collaborate with local and state organizations, and implement programs that prevent, respond to, and recover from crisis situations.

Threat assessments include assessing and reporting individuals who threaten or exhibit threatening behavior; gathering and analyzing data to determine the risk and appropriate intervention procedures; and referring individuals to local mental health care providers for evaluation or treatment.

Currently, parents are notified when a student is identified of being at-risk for suicide, when trauma-informed care is administered to a student, and when safety and security audits are conducted by the school district. A safe and supportive school team may not provide mental health services to students under 18 years of age without written consent from the parent.

However, there is no requirement for parental involvement in the threat assessment process, other than providing consent for the student to receive such mental health services. This bill would mandate that parents be notified when a threat assessment team has plans to assess the child. It does not mandate that parents be involved, but rather that schools give parents the opportunity to be involved in the process.

This Bill:

- Requires parents to be notified that the school's threat assessment team has plans to assess the child, prior to conducting said assessment.
- In conducting the assessment, requires the team to allow the parent to participate in the assessment and provide the team with additional information.
- After the assessment is completed, requires the team to share its findings and conclusions with the parent.
- Provides more transparency and cooperation between the school's team and the parent.

Committee Substitute:

The phrase "make a good faith effort" is added to describe how the team shall provide opportunities for the parents or guardians to participate in the threat assessment.

C.S.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 make a good faith effort 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.