

BILL ANALYSIS

C.S.H.B. 3614
By: Hefner
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Public schools are currently in need of additional qualified individuals to counsel their students. Despite the fact that chaplains are trained in skills necessary to provide such counseling, they are unable to do so in schools without going through teacher certification. C.S.H.B. 3614 seeks to address this issue by authorizing public school districts and open-enrollment charter schools to employ a chaplain or accept a chaplain as a volunteer.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3614 amends the Education Code to authorize a public school district or open-enrollment charter school to employ or accept as a volunteer a chaplain to provide support, services, and programs for students as assigned by the board of trustees of the district or the governing body of the school. Such a chaplain is not required to be certified by the State Board for Educator Certification. The bill requires each district board of trustees and each charter school governing body to take a record vote not later than six months after the bill's effective date on whether to adopt a policy authorizing a campus of the district or school to employ or accept as a volunteer a chaplain.

C.S.H.B. 3614 includes costs associated with certain support, services, and programs provided by chaplains among the costs for which funds from the school safety allotment may be used.

C.S.H.B. 3614 applies beginning with the 2023-2024 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3614 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced authorized the employment of a chaplain instead of a school counselor to perform the duties required of a school counselor, the substitute authorizes a district or charter school to employ or accept as a volunteer a chaplain to provide support, services, and programs for students as assigned by the district's board of trustees or the charter school's governing body. Accordingly, the substitute revises the provisions in the introduced providing for an exception from certification requirements for employed chaplains and requiring each district board and charter school governing body to take a record vote on the issue of chaplain employment to reflect the option to accept volunteer chaplains.