

BILL ANALYSIS

Senate Research Center

S.B. 763
By: Middleton
Education
5/29/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Public schools are currently in need of additional qualified individuals to counsel their students. School districts are in need of additional options to further aid their students.

Overview:

S.B. 763 would permit a school district to hire a school chaplain to perform the duties required of a school counselor. The funding for school chaplains will be allocated out of funds to promote school safety.

(Original Author's/Sponsor's Statement of Intent)

S.B. 763 amends current law relating to allowing public schools to employ or accept as volunteers chaplains.

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 Subtitle D, Title 2, Education Code, by adding Chapter 23, as follows:

CHAPTER 23. SCHOOL CHAPLAINS

Sec. 23.001. SCHOOL CHAPLAINS. (a) Authorizes a 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. Provides that a chaplain employed or volunteering under this chapter is not required to be certified by the State Board for Educator Certification.

(b) Requires a school district or open-enrollment charter school that employs or accepts as a volunteer a chaplain under this chapter to ensure that the chaplain complies with the applicable requirements under Subchapter C (Criminal History Records), Chapter 22, before the chaplain begins employment or volunteering at the district or school.

(c) Prohibits a school district or open-enrollment charter school from employing or accepting as a volunteer a chaplain who has been convicted of or placed on deferred adjudication community supervision for an offense for which a defendant is required to register as a sex offender under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure.

SECTION 2. Amends Section 48.115(b), Education Code, as follows:

(b) Requires that funds allocated under Section 48.115 (School Safety Allotment) be used to improve school safety and security, including costs associated with:

(1)-(2) makes no changes to these subdivisions;

(3) school safety and security training and planning, including:

(A)-(B) makes no changes to these paragraphs; and

(C) the prevention, identification, and management of emergencies and threats, using evidence-based, effective prevention practices and including:

(i) providing licensed counselors, social workers, chaplains, and individuals trained in restorative discipline and restorative justice practices;

(ii) providing mental health personnel and support, including chaplains;

(iii) providing behavioral health services, including services provided by chaplains;

(iv) makes no changes to this paragraph; and

(v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support, including support provided by chaplains; and

(4) providing programs related to suicide prevention, intervention, and postvention, including programs provided by chaplains.

SECTION 3. Requires each board of trustees of a school district and each governing body of an open-enrollment charter school to take a record vote not later than six months after the effective date of this Act on whether to adopt a policy authorizing a campus of the district or school to employ or accept as a volunteer a chaplain under Chapter 23, Education Code, as added by this Act.

SECTION 4. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 5. Effective date: upon passage or September 1, 2023.