88R9080 ANG-D

By:  Martinez H.B. No. 3898

A BILL TO BE ENTITLED

AN ACT

relating to establishing a pilot program to employ a life skills counselor and establish a life skills circle to assess certain student behavior at public high school campuses in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter A, Chapter 33, Education Code, is amended by adding Section 33.010 to read as follows:

Sec. 33.010.  LIFE SKILLS COUNSELOR PILOT PROGRAM. (a) In this section:

(1)  "Crime of violence" has the meaning assigned by Article 59.01, Code of Criminal Procedure.

(2)  "Pilot program" means the life skills counselor pilot program established under this section.

(b)  This section applies only to a county that:

(1)  is adjacent to:

(A)  at least two counties that border the Gulf of Mexico; and

(B)  at least two counties that are located on the international border; and

(2)  is located within 50 miles of a county described by Subdivision (1).

(c)  The commissioner shall establish a life skills counselor pilot program at each high school campus located in a county subject to this section as a strategy for addressing emotional and mental health concerns of students.

(d)  A school district located in a county subject to this section shall employ for each district high school campus located in the county a school counselor certified under Subchapter B, Chapter 21, to serve as a life skills counselor under the pilot program.

(e)  A life skills counselor employed to serve at a high school campus under this section shall:

(1)  collaborate with school district administrators, school counselors, social workers, other appropriately credentialed mental health professionals, and local law enforcement agencies to address mental health concerns affecting students at the high school campus;

(2)  provide instruction to students enrolled at the high school campus relating to skills and techniques to cope with anxiety, frustration, and other emotions;

(3)  counsel any students enrolled at the high school campus who have committed a crime of violence or are identified as having a mental health condition;

(4)  establish a voluntary counseling program for students enrolled at the high school campus; and

(5)  establish a life skills circle described by Subsection (f) to assess certain student behavior and make a recommendation regarding the appropriate disciplinary action a school should take in response to that student behavior.

(f)  A life skills counselor shall establish a life skills circle to assess a student's behavior if an incident involving the student occurs that:

(1)  violates school policy;

(2)  requires the involvement of law enforcement; and

(3)  involves violence or drugs.

(g)  A life skills circle established under Subsection (f) must include the life skills counselor and students enrolled at the high school campus.

(h)  During a life skills circle, the life skills counselor shall facilitate open discussion between participating students regarding the relevant incident, including allowing students to ask questions, speak to witnesses, and review evidence.

(i)  Based on discussion during a life skills circle, the life skills counselor and participating students shall make a recommendation regarding the appropriate disciplinary action the school should take against the student whose behavior is being assessed and submit the recommendation to the school administrator designated by the school district.

(j)  A recommendation under Subsection (i) may include:

(1)  restricting the student's participation in certain extracurricular activities;

(2)  requiring the student to perform community service; or

(3)  a combination of the actions described by Subdivisions (1) and (2).

(k)  If the life skills counselor and participating students find that the student did not violate school policy, the counselor and students shall submit a letter to the designated school administrator stating the finding.

(l)  The school district shall consider the life skills circle's recommendation when determining the disciplinary action to take against the student.

(m)  A school district located in a county subject to this section may solicit and accept a gift, grant, or donation from any source, including a foundation, private entity, governmental entity, or institution of higher education to implement or administer the pilot program.

(n)  Not later than January 1, 2029, the commissioner shall review the pilot program established under this section and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative standing committee with primary jurisdiction over primary and secondary education a written report regarding the progress made by the pilot program in addressing emotional and mental health concerns of students.

(o)  The commissioner shall adopt rules necessary to administer the pilot program.

(p)  This section expires September 1, 2029.

SECTION 2.  (a) Not later than December 1, 2023, the commissioner of education shall adopt rules necessary to implement and administer the life skills counselor pilot program established under Section 33.010, Education Code, as added by this Act.

(b)  The life skills counselor pilot program established under Section 33.010, Education Code, as added by this Act, shall be implemented in each public high school located in a county subject to that section beginning with the 2024-2025 school year.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.