By:  Middleton S.B. No. 763

A BILL TO BE ENTITLED

AN ACT

relating to allowing school districts to employ chaplains to perform the duties of school counselors.

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

SECTION 1.  Section 33.002, Education Code, is amended by adding Subsection (d) to read as follows:

(d)  Notwithstanding Subsections (b) and (c) or any other law, a school district may employ a chaplain instead of a school counselor to perform the duties required of a school counselor under this title. A chaplain employed under this subsection is not required to be certified by the State Board for Educator Certification.

SECTION 2.  Section 48.115(b), Education Code, is amended to read as follows:

(b)  Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1)  securing school facilities, including:

(A)  improvements to school infrastructure;

(B)  the use or installation of physical barriers; and

(C)  the purchase and maintenance of:

(i)  security cameras or other security equipment; and

(ii)  technology, including communications systems or devices, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

(2)  providing security for the district, including:

(A)  employing school district peace officers, private security officers, and school marshals; and

(B)  collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;

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

(A)  active shooter and emergency response training;

(B)  prevention and treatment programs relating to addressing adverse childhood experiences; 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 hiring chaplains;

(iv)  establishing threat reporting systems; and

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

(4)  providing programs related to suicide prevention, intervention, and postvention, including the utilization of chaplains.

SECTION 3.  Each board of trustees of a school district and each governing body of an open-enrollment charter school shall take a record vote not later than six months after the effective date of this Act on whether to adopt a policy authorizing every campus of the district or school to hire a chaplain under Sections 33.002 and 48.115, Education Code, as added by this Act.

SECTION 4.  This Act applies beginning with the 2023-2024 school year.

SECTION 5.  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.