

By: Martinez

H.B. No. 3898

Substitute the following for H.B. No. 3898:

By: Thompson of Harris

C.S.H.B. No. 3898

A BILL TO BE ENTITLED

1 AN ACT

2 relating to establishing a pilot program to provide a life skills  
3 advisor and establish a life skills circle to assess certain  
4 student behavior at public high school campuses in certain  
5 counties.

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

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

9 Sec. 33.010. LIFE SKILLS ADVISOR PILOT PROGRAM. (a) In  
10 this section:

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

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

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

16 (1) is adjacent to:

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

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

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

23 (c) The commissioner shall:

24 (1) establish a life skills advisor pilot program at

1 each high school campus located in a county subject to this section  
2 as a strategy for addressing emotional and mental health concerns  
3 of students; and

4 (2) develop a mental health and safety curriculum for  
5 use by life skills advisors under the program.

6 (d) Subject to Subsection (e), a school district located in  
7 a county subject to this section shall designate for each district  
8 high school campus located in the county an educator employed by the  
9 district to serve as a life skills advisor under the pilot program.

10 (e) The number of life skills advisors in a school district  
11 may not exceed the number of school counselors employed by the  
12 district.

13 (f) A life skills advisor serving at a high school campus  
14 under this section shall:

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

20 (2) provide instruction to students enrolled at the  
21 high school campus relating to:

22 (A) skills and techniques to cope with anxiety,  
23 frustration, and other emotions; and

24 (B) the mental health and safety curriculum  
25 developed by the commissioner under Subsection (c);

26 (3) counsel any students enrolled at the high school  
27 campus who have committed a crime of violence or are identified as

1 having a mental health condition; and

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

6 (g) A life skills advisor shall establish a life skills  
7 circle to assess a student's behavior if an incident involving the  
8 student occurs that:

9 (1) violates school policy;

10 (2) requires the involvement of law enforcement; and

11 (3) involves violence or drugs.

12 (h) A life skills circle established under Subsection (g)  
13 must include the life skills advisor and students enrolled at the  
14 high school campus.

15 (i) During a life skills circle, the life skills advisor  
16 shall facilitate open discussion between participating students  
17 regarding the relevant incident, including allowing students to ask  
18 questions, speak to witnesses, and review evidence.

19 (j) Based on discussion during a life skills circle, the  
20 life skills advisor and participating students shall make a  
21 recommendation regarding the appropriate disciplinary action the  
22 school should take against the student whose behavior is being  
23 assessed and submit the recommendation to the school administrator  
24 designated by the school district.

25 (k) A recommendation under Subsection (j) may include:

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

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

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

5           (1) If the life skills advisor and participating students  
6 find that the student did not violate school policy, the advisor and  
7 students shall submit a letter to the designated school  
8 administrator stating the finding.

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

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

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

25           (p) The commissioner shall adopt rules necessary to  
26 administer the pilot program.

27           (q) This section expires September 1, 2029.

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

5           (b) As soon as practicable after the effective date of this  
6 Act, the commissioner of education shall develop the mental health  
7 and safety curriculum required by Section 33.010(c), Education  
8 Code, as added by this Act.

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

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