

By: Martinez

H.B. No. 3898

A BILL TO BE ENTITLED

AN ACT

1
2 relating to establishing a pilot program to employ a life skills
3 counselor 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 COUNSELOR 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 counselor
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 establish a life skills
24 counselor pilot program at each high school campus located in a

1 county subject to this section as a strategy for addressing
2 emotional and mental health concerns of students.

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

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

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

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

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

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

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

27 (f) A life skills counselor shall establish a life skills

1 circle to assess a student's behavior if an incident involving the
2 student occurs that:

- 3 (1) violates school policy;
- 4 (2) requires the involvement of law enforcement; and
- 5 (3) involves violence or drugs.

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

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

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

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

- 20 (1) restricting the student's participation in certain
21 extracurricular activities;
- 22 (2) requiring the student to perform community
23 service; or
- 24 (3) a combination of the actions described by
25 Subdivisions (1) and (2).

26 (k) If the life skills counselor and participating students
27 find that the student did not violate school policy, the counselor

1 and students shall submit a letter to the designated school
2 administrator stating the finding.

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

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

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

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

21 (p) This section expires September 1, 2029.

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

26 (b) The life skills counselor pilot program established
27 under Section 33.010, Education Code, as added by this Act, shall be

1 implemented in each public high school located in a county subject
2 to that section beginning with the 2024-2025 school year.

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