

By: Thompson

H.B. No. 3536

A BILL TO BE ENTITLED

AN ACT

relating to the Collaborative Task Force on Public School Mental Health Services.

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

SECTION 1. Section 38.302, Education Code, is amended to read as follows:

Sec. 38.302. ESTABLISHMENT. The Collaborative Task Force on Public School Mental Health Services is established to study and evaluate:

(1) mental health services that are funded by this state and provided at a school district or open-enrollment charter school for purposes of Sections 37.115 and 38.351 directly to:

(A) a student enrolled in the district or school;

(B) a parent or family member of or person standing in parental relation to a student enrolled in the district or school; or

(C) an employee of the district or school;

(2) training provided to an educator employed by the district or school to provide the mental health services described by Subdivision (1); and

(3) the impact the mental health services described by Subdivision (1) have on:

(A) the number of violent incidents that occur at school districts or open-enrollment charter schools;

1 (B) the suicide rate of the individuals who are
2 provided the mental health services described by Subdivision (1);

3 (C) the number of public school students referred
4 to the Department of Family and Protective Services for
5 investigation services and the reasons for those referrals;

6 (D) the number of individuals who are transported
7 from each school district or open-enrollment charter school for an
8 emergency detention under Chapter 573, Health and Safety Code;
9 ~~and~~

10 (E) the number of public school students referred
11 to outside providers for mental health care, including outside
12 counselors referred to in accordance with Section 38.010; and

13 (F) fostering a positive school climate as
14 defined by Section 38.351(d).

15 SECTION 2. Subchapter F-1, Chapter 38, Education Code, is
16 amended by adding Section 38.3031 to read as follows:

17 Sec. 38.3031. TERMS; VACANCY. (a) Members of the task
18 force serve staggered three-year terms. A member may serve more
19 than one term.

20 (b) A vacancy on the task force shall be filled in the same
21 manner as the original placement or appointment, as applicable.

22 SECTION 3. Section 38.308(a), Education Code, is amended to
23 read as follows:

24 (a) The task force shall:

25 (1) gather data on:

26 (A) the number of students enrolled in each
27 school district and open-enrollment charter school;

1 (B) the number of individuals to whom each school
2 district or open-enrollment charter school provides the mental
3 health services described by Section 38.302(1);

4 (C) the number of individuals for whom each
5 school district or open-enrollment charter school has the resources
6 to provide the mental health services described by Section
7 38.302(1);

8 (D) the number of individuals described by
9 Paragraph (B) who are referred to an inpatient or outpatient mental
10 health provider;

11 (E) the number of individuals who are transported
12 from each school district or open-enrollment charter school for an
13 emergency detention under Chapter 573, Health and Safety Code;

14 (F) the race, ethnicity, gender, special
15 education status, educationally disadvantaged status, and
16 geographic location of:

17 (i) individuals who are provided the mental
18 health services described by Section 38.302(1);

19 (ii) individuals who are described by
20 Paragraph (D);

21 (iii) individuals who are described by
22 Paragraph (E);

23 (iv) individuals who are described by
24 Paragraph (H); ~~and~~

25 (v) individuals who are described by
26 Paragraph (I);

27 (vi) individuals who are described by

1 Paragraph (L)(ii);

2 (vii) individuals who are described by

3 Paragraph (M)(iii); and

4 (viii) individuals who are described by

5 Paragraph (N)(iii);

6 (G) mental health services and trainings
7 provided by:

8 (i) school districts, at both the campus
9 and district level; and

10 (ii) open-enrollment charter schools;

11 (H) the number of individuals who were placed in
12 a disciplinary alternative education program or out-of-school
13 suspension or expelled;

14 (I) the number of threat assessments conducted
15 under Section 37.115; ~~and~~

16 (J) the number of reports made from each school
17 district or open-enrollment charter school by an employee of the
18 district or school or by a school resource officer, to the
19 Department of Family and Protective Services regarding an alleged
20 incident of abuse or neglect;

21 (K) the mental health supports and services
22 offered directly to students by a school district or
23 open-enrollment charter school through the systemic and
24 coordinated multitiered support system for mental health under
25 Section 37.115 and in accordance with Section 38.351;

26 (L) the number of referrals to mental health
27 supports and services offered directly to students by a school

1 district or open-enrollment charter school through the systemic and
2 coordinated multitiered support system for mental health under
3 Section 37.115 and in accordance with Section 38.351, including:

4 (i) the number of referrals resulting from
5 a threat assessment; and

6 (ii) the number of students who received
7 the support or service to which the student was referred;

8 (M) the number of referrals to a partner or
9 community-based provider, including:

10 (i) the number of referrals made to each
11 provider;

12 (ii) the number of referrals resulting from
13 a threat assessment; and

14 (iii) the number of students who received
15 the support or service to which the student was referred; and

16 (N) the number of referrals to a psychiatric
17 hospital, acute care hospital, or emergency room to address acute
18 mental health risks, including:

19 (i) the number of referrals made to each
20 provider;

21 (ii) the number of referrals resulting from
22 a threat assessment; and

23 (iii) the number of students who received
24 the support or service to which the student was referred; and

25 (2) study, evaluate, and make recommendations
26 regarding the mental health services described by Section
27 38.302(1), the training described by Section 38.302(2), and the

1 impact of those mental health services, as described by Section
2 38.302(3), including addressing:

3 (A) the outcomes and the effectiveness of the
4 services and training provided, including the outcomes and
5 effectiveness of the service and training providers and the
6 programs under which services and training are provided, in:

7 (i) improving student academic achievement
8 and attendance;

9 (ii) reducing student disciplinary
10 proceedings, suspensions, placements in a disciplinary alternative
11 education program, and expulsions; and

12 (iii) delivering prevention and
13 intervention services to promote early mental health skills,
14 including:

15 (a) building skills relating to
16 managing emotions, establishing and maintaining positive
17 relationships, and making responsible decisions;

18 (b) preventing substance abuse;

19 (c) preventing suicides;

20 (d) adhering to the purpose of the
21 relevant program services or training;

22 (e) promoting trauma-informed
23 practices;

24 (f) promoting a positive school
25 climate, as defined by Section 38.351(d), in the district or
26 school; and

27 (g) improving physical and emotional

1 safety and well-being in the district or school and reducing
2 violence in the district or school;

3 (B) best practices for districts and schools in
4 implementing the services or training in accordance with Sections
5 37.115 and 38.351, including best practices for:

6 (i) funding for mental health services and
7 training provided by a district or school;

8 (ii) improving psychological safety;

9 (iii) coordinating systemic and
10 multitiered support systems that address school climate, as defined
11 by Section 39.351(d), the social and emotional domain, and
12 behavioral and mental health;

13 (iv) increasing contract-based
14 collaborative efforts or partnerships with local community
15 programs, agencies, and providers; and

16 (v) district or school and campus level
17 policies and procedures related to referral pathways to increase
18 access to mental health services;

19 (C) disparities in the race, ethnicity, gender,
20 special education status, and geographic location of individuals
21 receiving the services; and

22 (D) best practices to replicate the services or
23 training for all districts and schools.

24 SECTION 4. Section 38.312, Education Code, is amended to
25 read as follows:

26 Sec. 38.312. EXPIRATION. The task force is abolished and
27 this subchapter expires December 1, 2031 [~~2025~~].

1 SECTION 5. As soon as practicable after the effective date
2 of this Act, the members of the Collaborative Task Force on Public
3 School Mental Health Services shall draw lots to determine which
4 members serve a term expiring September 1, 2026, which members
5 serve a term expiring September 1, 2027, and which members serve a
6 term expiring September 1, 2028. The lots must be split into thirds
7 or as near to thirds as possible.

8 SECTION 6. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2025.