

[Section 7.061\(a-c\)](#)

[Section 11.252 \(D\) 10](#)

[Section 21.054 \(d\) \(6\)](#)

[Section 25.0815](#)

[Section 28.002](#)

[Section 28.004](#)

[Section 37.0812](#)

[Section 37.0812 \(b-1\)](#)

[Section 37.1081](#)

S.B. No. 11

1                                    AN ACT  
2 relating to policies, procedures, and measures for school safety  
3 and mental health promotion in public schools and the creation of  
4 the Texas Child Mental Health Care Consortium.

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

6                SECTION 1. Subchapter C, Chapter 7, Education Code, is  
7 amended by adding Section 7.061 to read as follows:

8                Sec. 7.061. FACILITIES STANDARDS. (a) In this section,  
9 "instructional facility" has the meaning assigned by Section  
10 46.001.

11                (b) The commissioner shall adopt or amend rules as necessary  
12 to ensure that building standards for instructional facilities and  
13 other school district and open-enrollment charter school  
14 facilities provide a secure and safe environment. In adopting or  
15 amending rules under this section, the commissioner shall include  
16 the use of best practices for:

17                    (1) the design and construction of new facilities; and  
18                    (2) the improvement, renovation, and retrofitting of  
19 existing facilities.

20                (c) Not later than September 1 of each even-numbered year,  
21 the commissioner shall review all rules adopted or amended under  
22 this section and amend the rules as necessary to ensure that  
23 building standards for school district and open-enrollment charter  
24 school facilities continue to provide a secure and safe

1 environment.

2 SECTION 2. Section 11.252(a), Education Code, is amended to  
3 read as follows:

4 (a) Each school district shall have a district improvement  
5 plan that is developed, evaluated, and revised annually, in  
6 accordance with district policy, by the superintendent with the  
7 assistance of the district-level committee established under  
8 Section 11.251. The purpose of the district improvement plan is to  
9 guide district and campus staff in the improvement of student  
10 performance for all student groups in order to attain state  
11 standards in respect to the achievement indicators adopted under  
12 Section 39.053(c). The district improvement plan must include  
13 provisions for:

14 (1) a comprehensive needs assessment addressing  
15 district student performance on the achievement indicators, and  
16 other appropriate measures of performance, that are disaggregated  
17 by all student groups served by the district, including categories  
18 of ethnicity, socioeconomic status, sex, and populations served by  
19 special programs, including students in special education programs  
20 under Subchapter A, Chapter 29;

21 (2) measurable district performance objectives for  
22 all appropriate achievement indicators for all student  
23 populations, including students in special education programs  
24 under Subchapter A, Chapter 29, and other measures of student  
25 performance that may be identified through the comprehensive needs  
26 assessment;

27 (3) strategies for improvement of student performance

1 that include:

2 (A) instructional methods for addressing the  
3 needs of student groups not achieving their full potential;

4 (B) methods for addressing the needs of students  
5 for special programs, including:

6 (i) suicide prevention programs, in  
7 accordance with Subchapter O-1, Chapter 161, Health and Safety  
8 Code, which includes a parental or guardian notification procedure;

9 (ii) conflict resolution programs;

10 (iii) violence prevention programs; and

11 (iv) dyslexia treatment programs;

12 (C) dropout reduction;

13 (D) integration of technology in instructional  
14 and administrative programs;

15 (E) discipline management;

16 (F) staff development for professional staff of  
17 the district;

18 (G) career education to assist students in  
19 developing the knowledge, skills, and competencies necessary for a  
20 broad range of career opportunities; and

21 (H) accelerated education;

22 (4) strategies for providing to middle school, junior  
23 high school, and high school students, those students' teachers and  
24 school counselors, and those students' parents information about:

25 (A) higher education admissions and financial  
26 aid opportunities;

27 (B) the TEXAS grant program and the Teach for

1 Texas grant program established under Chapter 56;

2 (C) the need for students to make informed  
3 curriculum choices to be prepared for success beyond high school;  
4 and

5 (D) sources of information on higher education  
6 admissions and financial aid;

7 (5) resources needed to implement identified  
8 strategies;

9 (6) staff responsible for ensuring the accomplishment  
10 of each strategy;

11 (7) timelines for ongoing monitoring of the  
12 implementation of each improvement strategy;

13 (8) formative evaluation criteria for determining  
14 periodically whether strategies are resulting in intended  
15 improvement of student performance; ~~and~~

16 (9) the policy under Section 38.0041 addressing sexual  
17 abuse and other maltreatment of children; and

18 (10) the trauma-informed care policy required under  
19 Section 38.036.

20 SECTION 3. Section 12.104(b), Education Code, as amended by  
21 Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts  
22 of the 85th Legislature, Regular Session, 2017, is reenacted and  
23 amended to read as follows:

24 (b) An open-enrollment charter school is subject to:

25 (1) a provision of this title establishing a criminal  
26 offense; and

27 (2) a prohibition, restriction, or requirement, as

1 applicable, imposed by this title or a rule adopted under this  
2 title, relating to:

3 (A) the Public Education Information Management  
4 System (PEIMS) to the extent necessary to monitor compliance with  
5 this subchapter as determined by the commissioner;

6 (B) criminal history records under Subchapter C,  
7 Chapter 22;

8 (C) reading instruments and accelerated reading  
9 instruction programs under Section 28.006;

10 (D) accelerated instruction under Section  
11 28.0211;

12 (E) high school graduation requirements under  
13 Section 28.025;

14 (F) special education programs under Subchapter  
15 A, Chapter 29;

16 (G) bilingual education under Subchapter B,  
17 Chapter 29;

18 (H) prekindergarten programs under Subchapter E  
19 or E-1, Chapter 29;

20 (I) extracurricular activities under Section  
21 33.081;

22 (J) discipline management practices or behavior  
23 management techniques under Section 37.0021;

24 (K) health and safety under Chapter 38;

25 (L) public school accountability under  
26 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

27 (M) the requirement under Section 21.006 to

1 report an educator's misconduct;

2 (N) intensive programs of instruction under  
3 Section 28.0213;

4 (O) the right of a school employee to report a  
5 crime, as provided by Section 37.148; ~~and~~

6 (P) bullying prevention policies and procedures  
7 under Section 37.0832;

8 (Q) the right of a school under Section 37.0052  
9 to place a student who has engaged in certain bullying behavior in a  
10 disciplinary alternative education program or to expel the student;  
11 ~~and~~

12 (R) the right under Section 37.0151 to report to  
13 local law enforcement certain conduct constituting assault or  
14 harassment;

15 (S) ~~(P)~~ a parent's right to information  
16 regarding the provision of assistance for learning difficulties to  
17 the parent's child as provided by Sections 26.004(b)(11) and  
18 26.0081(c) and (d); and

19 (T) school safety requirements under Sections  
20 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207,  
21 and 37.2071.

22 SECTION 4. Sections 21.054(d) and (d-2), Education Code,  
23 are amended to read as follows:

24 (d) Continuing education requirements for a classroom  
25 teacher must provide that not more than 25 percent of the training  
26 required every five years include instruction regarding:

27 (1) collecting and analyzing information that will

1 improve effectiveness in the classroom;

2 (2) recognizing early warning indicators that a  
3 student may be at risk of dropping out of school;

4 (3) digital learning, digital teaching, and  
5 integrating technology into classroom instruction;

6 (4) educating diverse student populations, including:

7 (A) students with disabilities, including mental  
8 health disorders;

9 (B) students who are educationally  
10 disadvantaged;

11 (C) students of limited English proficiency; and

12 (D) students at risk of dropping out of school;

13 [~~and~~]

14 (5) understanding appropriate relationships,  
15 boundaries, and communications between educators and students;

16 and[-]

17 (6) [~~(d-2) Continuing education requirements for a~~  
18 ~~classroom teacher may include instruction regarding~~] how grief and  
19 trauma affect student learning and behavior and how evidence-based,  
20 grief-informed, and trauma-informed strategies support the  
21 academic success of students affected by grief and trauma.

22 (d-2) The instruction required under Subsection (d)(6)  
23 must:

24 (1) comply with the training required by Section  
25 38.036(c)(1); and

26 (2) be approved by the commissioner.

27 SECTION 5. Section 25.081(a), Education Code, is amended to

1 read as follows:

2 (a) Except as authorized under Subsection (b) of this  
3 section, Section 25.0815, Section 25.084, or Section 29.0821, for  
4 each school year each school district must operate for at least  
5 75,600 minutes, including time allocated for instruction,  
6 intermissions, and recesses for students.

7 SECTION 6. Subchapter C, Chapter 25, Education Code, is  
8 amended by adding Section 25.0815 to read as follows:

9 Sec. 25.0815. OPERATION AND INSTRUCTIONAL TIME WAIVERS FOR  
10 SCHOOL SAFETY TRAINING. (a) The commissioner shall provide a  
11 waiver allowing for fewer minutes of operation and instructional  
12 time than required under Section 25.081(a) for a school district  
13 that requires each educator employed by the district to attend an  
14 approved school safety training course.

15 (b) A waiver under this section:

16 (1) must allow sufficient time for the school  
17 district's educators to attend the school safety training course;  
18 and

19 (2) may not:

20 (A) result in an inadequate number of minutes of  
21 instructional time for students; or

22 (B) reduce the number of minutes of operation and  
23 instructional time by more than 420 minutes.

24 (c) To be approved under this section, a school safety  
25 training course must apply to the Texas School Safety Center. The  
26 Texas School Safety Center may approve a training course if the  
27 course satisfies the training requirements as determined by the



1 center.

2 (d) The commissioner may adopt rules to implement this  
3 section.

4 SECTION 7. Section 28.002, Education Code, is amended by  
5 amending Subsection (a) and adding Subsection (z) to read as  
6 follows:

7 (a) Each school district that offers kindergarten through  
8 grade 12 shall offer, as a required curriculum:

9 (1) a foundation curriculum that includes:

10 (A) English language arts;

11 (B) mathematics;

12 (C) science; and

13 (D) social studies, consisting of Texas, United  
14 States, and world history, government, economics, with emphasis on  
15 the free enterprise system and its benefits, and geography; and

16 (2) an enrichment curriculum that includes:

17 (A) to the extent possible, languages other than  
18 English;

19 (B) health, with emphasis on:

20 (i) physical health, including the  
21 importance of proper nutrition and exercise;

22 (ii) mental health, including instruction  
23 about mental health conditions, substance abuse, skills to manage  
24 emotions, establishing and maintaining positive relationships, and  
25 responsible decision-making; and

26 (iii) suicide prevention, including  
27 recognizing suicide-related risk factors and warning signs;

- 1 (C) physical education;
- 2 (D) fine arts;
- 3 (E) career and technology education;
- 4 (F) technology applications;
- 5 (G) religious literature, including the Hebrew
- 6 Scriptures (Old Testament) and New Testament, and its impact on
- 7 history and literature; and
- 8 (H) personal financial literacy.

9 (z) The State Board of Education by rule shall require each  
10 school district to incorporate instruction in digital citizenship  
11 into the district's curriculum, including information regarding  
12 the potential criminal consequences of cyberbullying. In this  
13 subsection:

14 (1) "Cyberbullying" has the meaning assigned by  
15 Section 37.0832.

16 (2) "Digital citizenship" means the standards of  
17 appropriate, responsible, and healthy online behavior, including  
18 the ability to access, analyze, evaluate, create, and act on all  
19 forms of digital communication.

20 SECTION 8. Section 28.004, Education Code, is amended by  
21 amending Subsection (c) and adding Subsection (o) to read as  
22 follows:

23 (c) The local school health advisory council's duties  
24 include recommending:

25 (1) the number of hours of instruction to be provided  
26 in health education;

27 (2) policies, procedures, strategies, and curriculum

1 appropriate for specific grade levels designed to prevent obesity,  
2 cardiovascular disease, Type 2 diabetes, and mental health  
3 concerns, including suicide, through coordination of:

- 4 (A) health education;
- 5 (B) physical education and physical activity;
- 6 (C) nutrition services;
- 7 (D) parental involvement;
- 8 (E) instruction to prevent the use of  
9 e-cigarettes, as defined by Section 161.081, Health and Safety  
10 Code, and tobacco;
- 11 (F) school health services;
- 12 (G) counseling and guidance services;
- 13 (H) a safe and healthy school environment; and
- 14 (I) school employee wellness;

15 (3) appropriate grade levels and methods of  
16 instruction for human sexuality instruction;

17 (4) strategies for integrating the curriculum  
18 components specified by Subdivision (2) with the following elements  
19 in a coordinated school health program for the district:

- 20 (A) school health services;
- 21 (B) counseling and guidance services;
- 22 (C) a safe and healthy school environment; and
- 23 (D) school employee wellness; ~~and~~

24 (5) if feasible, joint use agreements or strategies  
25 for collaboration between the school district and community  
26 organizations or agencies; and

27 (6) strategies to increase parental awareness

1 regarding:

2 (A) risky behaviors and early warning signs of  
3 suicide risks and behavioral health concerns, including mental  
4 health disorders and substance use disorders; and

5 (B) available community programs and services  
6 that address risky behaviors, suicide risks, and behavioral health  
7 concerns.

8 (o) The local school health advisory council shall make  
9 policy recommendations to the district to increase parental  
10 awareness of suicide-related risk factors and warning signs and  
11 available community suicide prevention services.

12 SECTION 9. Section [37.0812](#), Education Code, is amended to  
13 read as follows:

14 Sec. 37.0812. TRAINING POLICY: SCHOOL DISTRICT PEACE  
15 OFFICERS AND SCHOOL RESOURCE OFFICERS. A school district [~~with an~~  
16 ~~enrollment of 30,000 or more students~~] that commissions a school  
17 district peace officer or at which a school resource officer  
18 provides law enforcement shall adopt a policy requiring the officer  
19 to complete the education and training program required by Section  
20 [1701.263](#), Occupations Code.

21 SECTION 10. Section [37.108](#), Education Code, is amended by  
22 amending Subsections (a), (b), and (c) and adding Subsections (b-1)  
23 and (f) to read as follows:

24 (a) Each school district or public junior college district  
25 shall adopt and implement a multihazard emergency operations plan  
26 for use in the district's facilities. The plan must address  
27 prevention, mitigation, preparedness, response, and recovery as

1 defined by the Texas School Safety Center in conjunction with the  
2 governor's office of homeland security and the commissioner of  
3 education or commissioner of higher education, as applicable [~~in~~  
4 ~~conjunction with the governor's office of homeland security~~]. The  
5 plan must provide for:

6 (1) [~~district employee~~] training in responding to an  
7 emergency for district employees, including substitute teachers;

8 (2) measures to ensure district employees, including  
9 substitute teachers, have classroom access to a telephone,  
10 including a cellular telephone, or another electronic  
11 communication device allowing for immediate contact with district  
12 emergency services or emergency services agencies, law enforcement  
13 agencies, health departments, and fire departments;

14 (3) measures to ensure district communications  
15 technology and infrastructure are adequate to allow for  
16 communication during an emergency;

17 (4) if the plan applies to a school district,  
18 mandatory school drills and exercises, including drills required  
19 under Section 37.114, to prepare district students and employees  
20 for responding to an emergency;

21 (5) [~~(3)~~] measures to ensure coordination with the  
22 Department of State Health Services and local emergency management  
23 agencies, law enforcement, health departments, and fire  
24 departments in the event of an emergency; and

25 (6) [~~(4)~~] the implementation of a safety and security  
26 audit as required by Subsection (b).

27 (b) At least once every three years, each school district or

1 public junior college district shall conduct a safety and security  
2 audit of the district's facilities. To the extent possible, a  
3 district shall follow safety and security audit procedures  
4 developed by the Texas School Safety Center or a person included in  
5 the registry established by the Texas School Safety Center under  
6 Section 37.2091 [~~comparable public or private entity~~].

7 (b-1) In a school district's safety and security audit  
8 required under Subsection (b), the district must certify that the  
9 district used the funds provided to the district through the school  
10 safety allotment under Section 42.168 only for the purposes  
11 provided by that section.

12 (c) A school district or public junior college district  
13 shall report the results of the safety and security audit conducted  
14 under Subsection (b) to the district's board of trustees and, in the  
15 manner required by the Texas School Safety Center, to the Texas  
16 School Safety Center. The report provided to the Texas School  
17 Safety Center under this subsection must be signed by:

18 (1) for a school district, the district's board of  
19 trustees and superintendent; or

20 (2) for a public junior college district, the  
21 president of the junior college district.

22 (f) A school district shall include in its multihazard  
23 emergency operations plan:

24 (1) a chain of command that designates the individual  
25 responsible for making final decisions during a disaster or  
26 emergency situation and identifies other individuals responsible  
27 for making those decisions if the designated person is unavailable;

1           (2) provisions that address physical and  
2 psychological safety for responding to a natural disaster, active  
3 shooter, and any other dangerous scenario identified for purposes  
4 of this section by the agency or the Texas School Safety Center;

5           (3) provisions for ensuring the safety of students in  
6 portable buildings;

7           (4) provisions for ensuring that students and district  
8 personnel with disabilities are provided equal access to safety  
9 during a disaster or emergency situation;

10           (5) provisions for providing immediate notification  
11 to parents, guardians, and other persons standing in parental  
12 relation in circumstances involving a significant threat to the  
13 health or safety of students, including identification of the  
14 individual with responsibility for overseeing the notification;

15           (6) provisions for supporting the psychological  
16 safety of students, district personnel, and the community during  
17 the response and recovery phase following a disaster or emergency  
18 situation that:

19                   (A) are aligned with best practice-based  
20 programs and research-based practices recommended under Section  
21 161.325, Health and Safety Code;

22                   (B) include strategies for ensuring any required  
23 professional development training for suicide prevention and  
24 grief-informed and trauma-informed care is provided to appropriate  
25 school personnel;

26                   (C) include training on integrating  
27 psychological safety and suicide prevention strategies into the

1 district's plan, such as psychological first aid for schools  
2 training, from an approved list of recommended training established  
3 by the commissioner and Texas School Safety Center for:

4 (i) members of the district's school safety  
5 and security committee under Section 37.109;

6 (ii) district school counselors and mental  
7 health professionals; and

8 (iii) educators and other district  
9 personnel as determined by the district;

10 (D) include strategies and procedures for  
11 integrating and supporting physical and psychological safety that  
12 align with the provisions described by Subdivision (2); and

13 (E) implement trauma-informed policies;

14 (7) a policy for providing a substitute teacher access  
15 to school campus buildings and materials necessary for the  
16 substitute teacher to carry out the duties of a district employee  
17 during an emergency or a mandatory emergency drill; and

18 (8) the name of each individual on the district's  
19 school safety and security committee established under Section  
20 37.109 and the date of each committee meeting during the preceding  
21 year.

22 SECTION 11. Subchapter D, Chapter 37, Education Code, is  
23 amended by adding Sections 37.1081 and 37.1082 to read as follows:

24 Sec. 37.1081. PUBLIC HEARING ON MULTHAZARD EMERGENCY  
25 OPERATIONS PLAN NONCOMPLIANCE. (a) If the board of trustees of a  
26 school district receives notice of noncompliance under Section  
27 37.207(e) or 37.2071(g), the board shall hold a public hearing to



1 notify the public of:

2 (1) the district's failure to:

3 (A) submit or correct deficiencies in a  
4 multihazard emergency operations plan; or

5 (B) report the results of a safety and security  
6 audit to the Texas School Safety Center as required by law;

7 (2) the dates during which the district has not been in  
8 compliance; and

9 (3) the names of each member of the board of trustees  
10 and the superintendent serving in that capacity during the dates  
11 the district was not in compliance.

12 (b) The school district shall provide the information  
13 required under Subsection (a)(3) in writing to each person in  
14 attendance at the hearing.

15 (c) The board shall give members of the public a reasonable  
16 opportunity to appear before the board and to speak on the issue of  
17 the district's failure to submit or correct deficiencies in a  
18 multihazard emergency operations plan or report the results of a  
19 safety and security audit during a hearing held under this section.

20 (d) A school district required to hold a public hearing  
21 under Subsection (a) shall provide written confirmation to the  
22 Texas School Safety Center that the district held the hearing.

23 Sec. 37.1082. MULTHAZARD EMERGENCY OPERATIONS PLAN  
24 NONCOMPLIANCE; APPOINTMENT OF CONSERVATOR OR BOARD OF MANAGERS.

25 (a) If the agency receives notice from the Texas School Safety  
26 Center of a school district's failure to submit a multihazard  
27 emergency operations plan, the commissioner may appoint a

1 conservator for the district under Chapter 39A. The conservator  
2 may order the district to adopt, implement, and submit a  
3 multihazard emergency operations plan.

4 (b) If a district fails to comply with a conservator's order  
5 to adopt, implement, and submit a multihazard emergency operations  
6 plan within the time frame imposed by the commissioner, the  
7 commissioner may appoint a board of managers under Chapter 39A to  
8 oversee the operations of the district.

9 (c) The commissioner may adopt rules as necessary to  
10 administer this section.

11 SECTION 12. Section 37.109, Education Code, is amended by  
12 adding Subsections (a-1), (c), and (d) and amending Subsection (b)  
13 to read as follows:

14 (a-1) The committee, to the greatest extent practicable,  
15 must include:

16 (1) one or more representatives of an office of  
17 emergency management of a county or city in which the district is  
18 located;

19 (2) one or more representatives of the local police  
20 department or sheriff's office;

21 (3) one or more representatives of the district's  
22 police department, if applicable;

23 (4) the president of the district's board of trustees;

24 (5) a member of the district's board of trustees other  
25 than the president;

26 (6) the district's superintendent;

27 (7) one or more designees of the district's

1 superintendent, one of whom must be a classroom teacher in the  
2 district;

3 (8) if the district partners with an open-enrollment  
4 charter school to provide instruction to students, a member of the  
5 open-enrollment charter school's governing body or a designee of  
6 the governing body; and

7 (9) two parents or guardians of students enrolled in  
8 the district.

9 (b) The committee shall:

10 (1) participate on behalf of the district in  
11 developing and implementing emergency plans consistent with the  
12 district multihazard emergency operations plan required by Section  
13 37.108(a) to ensure that the plans reflect specific campus,  
14 facility, or support services needs;

15 (2) periodically provide recommendations to the  
16 district's board of trustees and district administrators regarding  
17 updating the district multihazard emergency operations plan  
18 required by Section 37.108(a) in accordance with best practices  
19 identified by the agency, the Texas School Safety Center, or a  
20 person included in the registry established by the Texas School  
21 Safety Center under Section 37.2091;

22 (3) provide the district with any campus, facility, or  
23 support services information required in connection with a safety  
24 and security audit required by Section 37.108(b), a safety and  
25 security audit report required by Section 37.108(c), or another  
26 report required to be submitted by the district to the Texas School  
27 Safety Center; [~~and~~]

1           (4) [~~3~~] review each report required to be submitted  
2 by the district to the Texas School Safety Center to ensure that the  
3 report contains accurate and complete information regarding each  
4 campus, facility, or support service in accordance with criteria  
5 established by the center; and

6           (5) consult with local law enforcement agencies on  
7 methods to increase law enforcement presence near district  
8 campuses.

9           (c) Except as otherwise provided by this subsection, the  
10 committee shall meet at least once during each academic semester  
11 and at least once during the summer. A committee established by a  
12 school district that operates schools on a year-round system or in  
13 accordance with another alternative schedule shall meet at least  
14 three times during each calendar year, with an interval of at least  
15 two months between each meeting.

16           (d) The committee is subject to Chapter 551, Government  
17 Code, and may meet in executive session as provided by that chapter.  
18 Notice of a committee meeting must be posted in the same manner as  
19 notice of a meeting of the district's board of trustees.

20           SECTION 13. Subchapter D, Chapter 37, Education Code, is  
21 amended by adding Sections 37.113, 37.114, and 37.115 to read as  
22 follows:

23           Sec. 37.113. NOTIFICATION REGARDING BOMB THREAT OR  
24 TERRORISTIC THREAT. A school district that receives a bomb threat  
25 or terroristic threat relating to a campus or other district  
26 facility at which students are present shall provide notification  
27 of the threat as soon as possible to the parent or guardian of or

1 other person standing in parental relation to each student who is  
2 assigned to the campus or who regularly uses the facility, as  
3 applicable.

4 Sec. 37.114. EMERGENCY EVACUATIONS; MANDATORY SCHOOL  
5 DRILLS. The commissioner, in consultation with the Texas School  
6 Safety Center and the state fire marshal, shall adopt rules:

7 (1) providing procedures for evacuating and securing  
8 school property during an emergency; and

9 (2) designating the number of mandatory school drills  
10 to be conducted each semester of the school year, not to exceed  
11 eight drills, including designating the number of:

12 (A) evacuation fire exit drills; and

13 (B) lockdown, lockout, shelter-in-place, and  
14 evacuation drills.

15 Sec. 37.115. THREAT ASSESSMENT AND SAFE AND SUPPORTIVE  
16 SCHOOL PROGRAM AND TEAM. (a) In this section:

17 (1) "Harmful, threatening, or violent behavior"  
18 includes behaviors, such as verbal threats, threats of self harm,  
19 bullying, cyberbullying, fighting, the use or possession of a  
20 weapon, sexual assault, sexual harassment, dating violence,  
21 stalking, or assault, by a student that could result in:

22 (A) specific interventions, including mental  
23 health or behavioral supports;

24 (B) in-school suspension;

25 (C) out-of-school suspension; or

26 (D) the student's expulsion or removal to a  
27 disciplinary alternative education program or a juvenile justice

1 alternative education program.

2 (2) "Team" means a threat assessment and safe and  
3 supportive school team established by the board of trustees of a  
4 school district under this section.

5 (b) The agency, in coordination with the Texas School Safety  
6 Center, shall adopt rules to establish a safe and supportive school  
7 program. The rules shall incorporate research-based best practices  
8 for school safety, including providing for:

9 (1) physical and psychological safety;

10 (2) a multiphase and multihazard approach to  
11 prevention, mitigation, preparedness, response, and recovery in a  
12 crisis situation;

13 (3) a systemic and coordinated multitiered support  
14 system that addresses school climate, the social and emotional  
15 domain, and behavioral and mental health; and

16 (4) multidisciplinary and multiagency collaboration  
17 to assess risks and threats in schools and provide appropriate  
18 interventions, including rules for the establishment and operation  
19 of teams.

20 (c) The board of trustees of each school district shall  
21 establish a threat assessment and safe and supportive school team  
22 to serve at each campus of the district and shall adopt policies and  
23 procedures for the teams. The team is responsible for developing  
24 and implementing the safe and supportive school program under  
25 Subsection (b) at the district campus served by the team. The  
26 policies and procedures adopted under this section must:

27 (1) be consistent with the model policies and

1 procedures developed by the Texas School Safety Center;

2 (2) require each team to complete training provided by  
3 the Texas School Safety Center or a regional education service  
4 center regarding evidence-based threat assessment programs; and

5 (3) require each team established under this section  
6 to report the information required under Subsection (k) regarding  
7 the team's activities to the agency.

8 (d) The superintendent of the district shall ensure that the  
9 members appointed to each team have expertise in counseling,  
10 behavior management, mental health and substance use, classroom  
11 instruction, special education, school administration, school  
12 safety and security, emergency management, and law enforcement. A  
13 team may serve more than one campus of a school district, provided  
14 that each district campus is assigned a team.

15 (e) The superintendent of a school district may establish a  
16 committee, or assign to an existing committee established by the  
17 district, the duty to oversee the operations of teams established  
18 for the district. A committee with oversight responsibility under  
19 this subsection must include members with expertise in human  
20 resources, education, special education, counseling, behavior  
21 management, school administration, mental health and substance  
22 use, school safety and security, emergency management, and law  
23 enforcement.

24 (f) Each team shall:

25 (1) conduct a threat assessment that includes:

26 (A) assessing and reporting individuals who make  
27 threats of violence or exhibit harmful, threatening, or violent

1 behavior in accordance with the policies and procedures adopted  
2 under Subsection (c); and

3 (B) gathering and analyzing data to determine the  
4 level of risk and appropriate intervention, including:

5 (i) referring a student for mental health  
6 assessment; and

7 (ii) implementing an escalation procedure,  
8 if appropriate based on the team's assessment, in accordance with  
9 district policy;

10 (2) provide guidance to students and school employees  
11 on recognizing harmful, threatening, or violent behavior that may  
12 pose a threat to the community, school, or individual; and

13 (3) support the district in implementing the  
14 district's multihazard emergency operations plan.

15 (g) A team may not provide a mental health care service to a  
16 student who is under 18 years of age unless the team obtains written  
17 consent from the parent of or person standing in parental relation  
18 to the student before providing the mental health care service. The  
19 consent required by this subsection must be submitted on a form  
20 developed by the school district that complies with all applicable  
21 state and federal law. The student's parent or person standing in  
22 parental relation to the student may give consent for a student to  
23 receive ongoing services or may limit consent to one or more  
24 services provided on a single occasion.

25 (h) On a determination that a student or other individual  
26 poses a serious risk of violence to self or others, a team shall  
27 immediately report the team's determination to the superintendent.



1 If the individual is a student, the superintendent shall  
2 immediately attempt to inform the parent or person standing in  
3 parental relation to the student. The requirements of this  
4 subsection do not prevent an employee of the school from acting  
5 immediately to prevent an imminent threat or respond to an  
6 emergency.

7 (i) A team identifying a student at risk of suicide shall  
8 act in accordance with the district's suicide prevention program.  
9 If the student at risk of suicide also makes a threat of violence to  
10 others, the team shall conduct a threat assessment in addition to  
11 actions taken in accordance with the district's suicide prevention  
12 program.

13 (j) A team identifying a student using or possessing  
14 tobacco, drugs, or alcohol shall act in accordance with district  
15 policies and procedures related to substance use prevention and  
16 intervention.

17 (k) A team must report to the agency in accordance with  
18 guidelines developed by the agency the following information  
19 regarding the team's activities and other information for each  
20 school district campus the team serves:

21 (1) the occupation of each person appointed to the  
22 team;

23 (2) the number of threats and a description of the type  
24 of the threats reported to the team;

25 (3) the outcome of each assessment made by the team,  
26 including:

27 (A) any disciplinary action taken, including a

1 change in school placement;  
2                    (B) any action taken by law enforcement; or  
3                    (C) a referral to or change in counseling, mental  
4 health, special education, or other services;  
5                    (4) the total number, disaggregated by student gender,  
6 race, and status as receiving special education services, being at  
7 risk of dropping out of school, being in foster care, experiencing  
8 homelessness, being a dependent of military personnel, being  
9 pregnant or a parent, having limited English proficiency, or being  
10 a migratory child, of, in connection with an assessment or reported  
11 threat by the team:  
12                    (A) citations issued for Class C misdemeanor  
13 offenses;  
14                    (B) arrests;  
15                    (C) incidents of uses of restraint;  
16                    (D) changes in school placement, including  
17 placement in a juvenile justice alternative education program or  
18 disciplinary alternative education program;  
19                    (E) referrals to or changes in counseling, mental  
20 health, special education, or other services;  
21                    (F) placements in in-school suspension or  
22 out-of-school suspension and incidents of expulsion;  
23                    (G) unexcused absences of 15 or more days during  
24 the school year; and  
25                    (H) referrals to juvenile court for truancy; and  
26                    (5) the number and percentage of school personnel  
27 trained in:

1           (A) a best-practices program or research-based  
2 practice under Section 161.325, Health and Safety Code, including  
3 the number and percentage of school personnel trained in:

4                   (i) suicide prevention; or

5                   (ii) grief and trauma-informed practices;

6           (B) mental health or psychological first aid for  
7 schools;

8           (C) training relating to the safe and supportive  
9 school program established under Subsection (b); or

10           (D) any other program relating to safety  
11 identified by the commissioner.

12           (1) The commissioner may adopt rules to implement this  
13 section.

14           SECTION 14. Section 37.207, Education Code, is amended by  
15 adding Subsections (c), (d), and (e) to read as follows:

16           (c) In addition to a review of a district's multihazard  
17 emergency operations plan under Section 37.2071, the center may  
18 require a district to submit its plan for immediate review if the  
19 district's audit results indicate that the district is not  
20 complying with applicable standards.

21           (d) If a district fails to report the results of its audit as  
22 required under Subsection (b), the center shall provide the  
23 district with written notice that the district has failed to report  
24 its audit results and must immediately report the results to the  
25 center.

26           (e) If six months after the date of the initial notification  
27 required by Subsection (d) the district has still not reported the

1 results of its audit to the center, the center shall notify the  
2 agency and the district of the district's requirement to conduct a  
3 public hearing under Section 37.1081. This subsection applies only  
4 to a school district.

5 SECTION 15. Subchapter G, Chapter 37, Education Code, is  
6 amended by adding Section 37.2071 to read as follows:

7 Sec. 37.2071. DISTRICT MULTIHAZARD EMERGENCY OPERATIONS  
8 PLAN REVIEW AND VERIFICATION. (a) The center shall establish a  
9 random or need-based cycle for the center's review and verification  
10 of school district and public junior college district multihazard  
11 emergency operations plans adopted under Section 37.108. The cycle  
12 must provide for each district's plan to be reviewed at regular  
13 intervals as determined by the center.

14 (b) A school district or public junior college district  
15 shall submit its multihazard emergency operations plan to the  
16 center on request of the center and in accordance with the center's  
17 review cycle developed under Subsection (a).

18 (c) The center shall review each district's multihazard  
19 emergency operations plan submitted under Subsection (b) and:

20 (1) verify the plan meets the requirements of Section  
21 37.108; or

22 (2) provide the district with written notice:

23 (A) describing the plan's deficiencies; and

24 (B) stating that the district must correct the  
25 deficiencies in its plan and resubmit the revised plan to the  
26 center.

27 (d) If a district fails to submit its multihazard emergency

1 operations plan to the center for review, the center shall provide  
2 the district with written notice stating that the district:

3 (1) has failed to submit a plan; and

4 (2) must submit a plan to the center for review and  
5 verification.

6 (e) The center may approve a district multihazard emergency  
7 operations plan that has deficiencies if the district submits a  
8 revised plan that the center determines will correct the  
9 deficiencies.

10 (f) If three months after the date of initial notification  
11 of a plan's deficiencies under Subsection (c)(2) or failure to  
12 submit a plan under Subsection (d) a district has not corrected the  
13 plan deficiencies or has failed to submit a plan, the center shall  
14 provide written notice to the district and agency that the district  
15 has not complied with the requirements of this section and must  
16 comply immediately.

17 (g) If a school district still has not corrected the plan  
18 deficiencies or has failed to submit a plan six months after the  
19 date of initial notification under Subsection (c)(2) or (d), the  
20 center shall provide written notice to the school district stating  
21 that the district must hold a public hearing under Section 37.1081.

22 (h) If a school district has failed to submit a plan, the  
23 notice required by Subsection (g) must state that the commissioner  
24 is authorized to appoint a conservator under Section 37.1082.

25 (i) Any document or information collected, developed, or  
26 produced during the review and verification of multihazard  
27 emergency operations plans under this section is not subject to

1 disclosure under Chapter 552, Government Code.

2 SECTION 16. Section 37.2091(d), Education Code, is amended  
3 to read as follows:

4 (d) The center shall verify the information provided by a  
5 person under Subsection (c) to confirm ~~[registry is intended to~~  
6 ~~serve only as an informational resource for school districts and~~  
7 ~~institutions of higher education. The inclusion of a person in the~~  
8 ~~registry is not an indication of]~~ the person's qualifications and  
9 ~~[or]~~ ability to provide school safety or security consulting  
10 services before adding the person to the registry ~~[or that the~~  
11 ~~center endorses the person's school safety or security consulting~~  
12 ~~services].~~

13 SECTION 17. Subchapter G, Chapter 37, Education Code, is  
14 amended by adding Section 37.220 to read as follows:

15 Sec. 37.220. MODEL THREAT ASSESSMENT TEAM POLICIES AND  
16 PROCEDURES. (a) The center, in coordination with the agency,  
17 shall develop model policies and procedures to assist school  
18 districts in establishing and training threat assessment teams.

19 (b) The model policies and procedures developed under  
20 Subsection (a) must include procedures, when appropriate, for:

21 (1) the referral of a student to a local mental health  
22 authority or health care provider for evaluation or treatment;

23 (2) the referral of a student for a full individual and  
24 initial evaluation for special education services under Section  
25 29.004; and

26 (3) a student or school personnel to anonymously  
27 report dangerous, violent, or unlawful activity that occurs or is

1 threatened to occur on school property or that relates to a student  
2 or school personnel.

3 SECTION 18. Subchapter A, Chapter 38, Education Code, is  
4 amended by adding Section 38.036 to read as follows:

5 Sec. 38.036. TRAUMA-INFORMED CARE POLICY. (a) Each school  
6 district shall adopt and implement a policy requiring the  
7 integration of trauma-informed practices in each school  
8 environment. A district must include the policy in the district  
9 improvement plan required under Section 11.252.

10 (b) A policy required by this section must address:

11 (1) using resources developed by the agency, methods  
12 for:

13 (A) increasing staff and parent awareness of  
14 trauma-informed care; and

15 (B) implementation of trauma-informed practices  
16 and care by district and campus staff; and

17 (2) available counseling options for students  
18 affected by trauma or grief.

19 (c) The methods under Subsection (b)(1) for increasing  
20 awareness and implementation of trauma-informed care must include  
21 training as provided by this subsection. The training must be  
22 provided:

23 (1) through a program selected from the list of  
24 recommended best practice-based programs and research-based  
25 practices established under Section 161.325, Health and Safety  
26 Code;

27 (2) as part of any new employee orientation for all new

1 school district educators; and

2 (3) to existing school district educators on a  
3 schedule adopted by the agency by rule that requires educators to be  
4 trained at intervals necessary to keep educators informed of  
5 developments in the field.

6 (d) For any training under Subsection (c), each school  
7 district shall maintain records that include the name of each  
8 district staff member who participated in the training.

9 (e) Each school district shall report annually to the agency  
10 the following information for the district as a whole and for each  
11 school campus:

12 (1) the number of teachers, principals, and counselors  
13 employed by the district who have completed training under this  
14 section; and

15 (2) the total number of teachers, principals, and  
16 counselors employed by the district.

17 (f) If a school district determines that the district does  
18 not have sufficient resources to provide the training required  
19 under Subsection (c), the district may partner with a community  
20 mental health organization to provide training that meets the  
21 requirements of Subsection (c) at no cost to the district.

22 (g) The commissioner shall adopt rules as necessary to  
23 administer this section.

24 SECTION 19. Chapter 38, Education Code, is amended by  
25 adding Subchapter F to read as follows:

26 SUBCHAPTER F. MENTAL HEALTH RESOURCES

27 Sec. 38.251. RUBRIC TO IDENTIFY RESOURCES. (a) The agency



1 shall develop a rubric for use by regional education service  
2 centers in identifying resources related to student mental health  
3 that are available to schools in their respective regions. The  
4 agency shall develop the rubric in conjunction with:

- 5 (1) the Health and Human Services Commission;
- 6 (2) the Department of Family and Protective Services;
- 7 (3) the Texas Juvenile Justice Department;
- 8 (4) the Texas Higher Education Coordinating Board;
- 9 (5) the Texas Child Mental Health Care Consortium;
- 10 (6) the Texas Workforce Commission; and
- 11 (7) any other state agency the agency considers  
12 appropriate.

13 (b) The rubric developed by the agency must provide for the  
14 identification of resources relating to:

- 15 (1) training and technical assistance on practices  
16 that support the mental health of students;
- 17 (2) school-based programs that provide prevention or  
18 intervention services to students;
- 19 (3) community-based programs that provide  
20 school-based or school-connected prevention or intervention  
21 services to students;
- 22 (4) Communities In Schools programs described by  
23 Subchapter E, Chapter 33;
- 24 (5) school-based mental health providers; and
- 25 (6) public and private funding sources available to  
26 address the mental health of students.

27 (c) Not later than December 1 of each odd-numbered year, the

1 agency shall revise the rubric as necessary to reflect changes in  
2 resources that may be available to schools and provide the rubric to  
3 each regional education service center.

4 Sec. 38.252. REGIONAL INVENTORY OF MENTAL HEALTH RESOURCES.

5 (a) Each regional education service center shall use the rubric  
6 developed under Section 38.251 to identify resources related to  
7 student mental health available to schools in the center's region,  
8 including evidence-based and promising programs and best  
9 practices, that:

10 (1) create school environments that support the  
11 social, emotional, and academic development of students;

12 (2) identify students who may need additional  
13 behavioral or mental health support before issues arise;

14 (3) provide early, effective interventions to  
15 students in need of additional support;

16 (4) connect students and their families to specialized  
17 services in the school or community when needed; and

18 (5) assist schools in aligning resources necessary to  
19 address the mental health of students.

20 (b) A regional education service center may consult with any  
21 entity the center considers necessary in identifying resources  
22 under Subsection (a), including:

23 (1) school districts;

24 (2) local mental health authorities;

25 (3) community mental health services providers;

26 (4) education groups;

27 (5) hospitals; and

1           (6) institutions of higher education.

2           (c) Not later than March 1 of each even-numbered year, each  
3 regional education service center shall:

4           (1) use the revised rubric received from the agency  
5 under Section 38.251 to identify, in the manner provided by this  
6 section, any additional resources that may be available to schools  
7 in the center's region; and

8           (2) submit to the agency a report on resources  
9 identified through the process, including any additional resources  
10 identified under Subdivision (1).

11           Sec. 38.253. STATEWIDE INVENTORY OF MENTAL HEALTH  
12 RESOURCES. (a) The agency shall develop a list of statewide  
13 resources available to school districts to address the mental  
14 health of students, including:

15           (1) training and technical assistance on practices  
16 that support the mental health of students;

17           (2) school-based programs that provide prevention or  
18 intervention services to students;

19           (3) community-based programs that provide  
20 school-based or school-connected prevention or intervention  
21 services to students;

22           (4) school-based mental health providers; and

23           (5) public and private funding sources available to  
24 address the mental health of students.

25           (b) In developing the list required under Subsection (a),  
26 the agency shall collaborate with:

27           (1) the Health and Human Services Commission;

- 1           (2) the Department of Family and Protective Services;
- 2           (3) the Texas Juvenile Justice Department;
- 3           (4) the Texas Higher Education Coordinating Board;
- 4           (5) the Texas Child Mental Health Care Consortium;
- 5           (6) the Texas Workforce Commission;
- 6           (7) one or more representatives of Communities In  
7 Schools programs described by Subchapter E, Chapter 33, who are  
8 designated by the Communities In Schools State Office;
- 9           (8) hospitals or other health care providers;
- 10          (9) community service providers;
- 11          (10) parent, educator, and advocacy groups; and
- 12          (11) any entity the agency determines can assist the  
13 agency in compiling the list.

14          (c) The agency shall include on the list any resource  
15 available through an entity identified as a resource under  
16 Subsection (b), including an entity described by Subsection (b),  
17 that provides evidence-based and promising programs and best  
18 practices that:

- 19           (1) create school environments that support the  
20 social, emotional, and academic development of students;
- 21           (2) identify students who may need additional  
22 behavioral or mental health support before issues arise;
- 23           (3) provide early, effective interventions to  
24 students in need of additional support; and
- 25           (4) connect students and their families to specialized  
26 services in the school or community when needed.

27          (d) The agency shall revise the list not later than March 1

1 of each even-numbered year.

2 Sec. 38.254. STATEWIDE PLAN FOR STUDENT MENTAL HEALTH.

3 (a) The agency shall develop a statewide plan to ensure all  
4 students have access to adequate mental health resources. The  
5 agency shall include in the plan:

6 (1) a description of any revisions made to the rubric  
7 required by Section 38.251;

8 (2) the results of the most recent regional inventory  
9 of mental health resources required by Section 38.252, including  
10 any additional resources identified;

11 (3) the results of the most recent statewide inventory  
12 of mental health resources required by Section 38.253, including  
13 any additional resources identified;

14 (4) the agency's goals for student mental health  
15 access to be applied across the state, including goals relating to:

16 (A) methods to objectively measure positive  
17 school climate;

18 (B) increasing the availability of early,  
19 effective school-based or school-connected mental health  
20 interventions and resources for students in need of additional  
21 support; and

22 (C) increasing the availability of referrals for  
23 students and families to specialized services for students in need  
24 of additional support outside the school;

25 (5) a list of actions the commissioner may take  
26 without legislative action to help all districts reach the agency's  
27 goals described by the plan; and

1           (6) recommendations to the legislature on methods to  
2 ensure that all districts can meet the agency's goals described in  
3 the plan through legislative appropriations or other action by the  
4 legislature.

5           (b) In developing the agency's goals under Subsection  
6 (a)(4), the agency shall consult with any person the agency  
7 believes is necessary to the development of the goals, including:

8                   (1) educators;

9                   (2) mental health practitioners;

10                   (3) advocacy groups; and

11                   (4) parents.

12           (c) The agency shall revise the plan not later than April 1  
13 of each even-numbered year.

14           (d) As soon as practicable after completing or revising the  
15 plan, the agency shall:

16                   (1) submit an electronic copy of the plan to the  
17 legislature;

18                   (2) post the plan on the agency's Internet website; and

19                   (3) hold public meetings in each regional education  
20 service center's region to present the statewide plan and shall  
21 provide an opportunity for public comment at each meeting.

22           Sec. 38.255. AGENCY USE OF STATEWIDE PLAN. (a) The agency  
23 shall use the statewide plan for student mental health required by  
24 Section 38.254 to develop and revise the agency's long-term  
25 strategic plan.

26           (b) The agency shall use the recommendations to the  
27 legislature required by Section 38.254(a)(6) to develop each agency

1 legislative appropriations request.

2 Sec. 38.256. REPORTS TO LEGISLATURE. In addition to any  
3 other information required to be provided to the legislature under  
4 this chapter, not later than November 1 of each even-numbered year  
5 the agency shall provide to the legislature:

6 (1) a description of any changes the agency has made to  
7 the rubric required by Section 38.251; and

8 (2) an analysis of each region's progress toward  
9 meeting the agency's goals developed under Section 38.254.

10 SECTION 20. Subchapter C, Chapter 42, Education Code, is  
11 amended by adding Section 42.168 to read as follows:

12 Sec. 42.168. SCHOOL SAFETY ALLOTMENT. (a) From funds  
13 appropriated for that purpose, the commissioner shall provide to a  
14 school district an annual allotment in the amount provided by  
15 appropriation for each student in average daily attendance.

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

19 (1) securing school facilities, including:

20 (A) improvements to school infrastructure;

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

22 and

23 (C) the purchase and maintenance of:

24 (i) security cameras or other security  
25 equipment; and

26 (ii) technology, including communications  
27 systems or devices, that facilitates communication and information

1 sharing between students, school personnel, and first responders in  
2 an emergency;

3 (2) providing security for the district, including:

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

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

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

12 (A) active shooter and emergency response  
13 training;

14 (B) prevention and treatment programs relating  
15 to addressing adverse childhood experiences; and

16 (C) the prevention, identification, and  
17 management of emergencies and threats, including:

18 (i) providing mental health personnel and  
19 support;

20 (ii) providing behavioral health services;  
21 and

22 (iii) establishing threat reporting  
23 systems; and

24 (4) providing programs related to suicide prevention,  
25 intervention, and postvention.

26 (c) A school district may use funds allocated under this  
27 section for equipment or software that is used for a school safety



1 and security purpose and an instructional purpose, provided that  
2 the instructional use does not compromise the safety and security  
3 purpose of the equipment or software.

4 (d) A school district that is required to take action under  
5 Chapter 41 to reduce its wealth per student to the equalized wealth  
6 level is entitled to a credit, in the amount of the allotments to  
7 which the district is to receive as provided by appropriation,  
8 against the total amount required under Section 41.093 for the  
9 district to purchase attendance credits.

10 (e) The commissioner may adopt rules to implement this  
11 section.

12 SECTION 21. Section 45.001(a), Education Code, is amended  
13 to read as follows:

14 (a) The governing board of an independent school district,  
15 including the city council or commission that has jurisdiction over  
16 a municipally controlled independent school district, the  
17 governing board of a rural high school district, and the  
18 commissioners court of a county, on behalf of each common school  
19 district under its jurisdiction, may:

20 (1) issue bonds for:

21 (A) the construction, acquisition, and equipment  
22 of school buildings in the district;

23 (B) the acquisition of property or the  
24 refinancing of property financed under a contract entered under  
25 Subchapter A, Chapter 271, Local Government Code, regardless of  
26 whether payment obligations under the contract are due in the  
27 current year or a future year;

1 (C) the purchase of the necessary sites for  
2 school buildings; ~~and~~

3 (D) the purchase of new school buses;

4 (E) the retrofitting of school buses with  
5 emergency, safety, or security equipment; and

6 (F) the purchase or retrofitting of vehicles to  
7 be used for emergency, safety, or security purposes; and

8 (2) ~~may~~ levy, pledge, assess, and collect annual ad  
9 valorem taxes sufficient to pay the principal of and interest on the  
10 bonds as or before the principal and interest become due, subject to  
11 Section 45.003.

12 SECTION 22. Subtitle E, Title 2, Health and Safety Code, is  
13 amended by adding Chapter 113 to read as follows:

14 CHAPTER 113. TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 113.0001. DEFINITIONS. In this chapter:

17 (1) "Community mental health provider" means an entity  
18 that provides mental health care services at a local level,  
19 including a local mental health authority.

20 (2) "Consortium" means the Texas Child Mental Health  
21 Care Consortium.

22 (3) "Executive committee" means the executive  
23 committee of the consortium.

24 SUBCHAPTER B. CONSORTIUM

25 Sec. 113.0051. ESTABLISHMENT; PURPOSE. The Texas Child  
26 Mental Health Care Consortium is established to:

27 (1) leverage the expertise and capacity of the

1 health-related institutions of higher education listed in Section  
2 113.0052(1) to address urgent mental health challenges and improve  
3 the mental health care system in this state in relation to children  
4 and adolescents; and

5 (2) enhance the state's ability to address mental  
6 health care needs of children and adolescents through collaboration  
7 of the health-related institutions of higher education listed in  
8 Section 113.0052(1).

9 Sec. 113.0052. COMPOSITION. The consortium is composed of:

10 (1) the following health-related institutions of  
11 higher education:

12 (A) Baylor College of Medicine;

13 (B) Texas A&M University System Health Science  
14 Center;

15 (C) Texas Tech University Health Sciences  
16 Center;

17 (D) Texas Tech University Health Sciences Center  
18 at El Paso;

19 (E) University of North Texas Health Science  
20 Center at Fort Worth;

21 (F) The Dell Medical School at The University of  
22 Texas at Austin;

23 (G) The University of Texas M.D. Anderson Cancer  
24 Center;

25 (H) The University of Texas Medical Branch at  
26 Galveston;

27 (I) The University of Texas Health Science Center

1 at Houston;

2 (J) The University of Texas Health Science Center

3 at San Antonio;

4 (K) The University of Texas Rio Grande Valley

5 School of Medicine;

6 (L) The University of Texas Health Science Center

7 at Tyler; and

8 (M) The University of Texas Southwestern Medical

9 Center;

10 (2) the commission;

11 (3) the Texas Higher Education Coordinating Board;

12 (4) three nonprofit organizations that focus on mental

13 health care, designated by a majority of the members described by

14 Subdivision (1); and

15 (5) any other entity that the executive committee

16 considers necessary.

17 Sec. 113.0053. ADMINISTRATIVE ATTACHMENT. The consortium

18 is administratively attached to the Texas Higher Education

19 Coordinating Board for the purpose of receiving and administering

20 appropriations and other funds under this chapter. The board is not

21 responsible for providing to the consortium staff, human resources,

22 contract monitoring, purchasing, or any other administrative

23 support services.

24 SUBCHAPTER C. EXECUTIVE COMMITTEE

25 Sec. 113.0101. EXECUTIVE COMMITTEE COMPOSITION. (a) The

26 consortium is governed by an executive committee composed of the

27 following members:

1           (1) the chair of the academic department of psychiatry  
2 of each of the health-related institutions of higher education  
3 listed in Section 113.0052(1) or a licensed psychiatrist, including  
4 a child-adolescent psychiatrist, designated by the chair to serve  
5 in the chair's place;

6           (2) a representative of the commission with expertise  
7 in the delivery of mental health care services, appointed by the  
8 executive commissioner;

9           (3) a representative of the commission with expertise  
10 in mental health facilities, appointed by the executive  
11 commissioner;

12           (4) a representative of the Texas Higher Education  
13 Coordinating Board, appointed by the commissioner of the  
14 coordinating board;

15           (5) a representative of each nonprofit organization  
16 described by Section 113.0052(4) that is part of the consortium,  
17 designated by a majority of the members described by Subdivision  
18 (1);

19           (6) a representative of a hospital system in this  
20 state, designated by a majority of the members described by  
21 Subdivision (1); and

22           (7) any other representative designated:

23                   (A) under Subsection (b); or

24                   (B) by a majority of the members described by  
25 Subdivision (1) at the request of the executive committee.

26           (b) The president of each of the health-related  
27 institutions of higher education listed in Section 113.0052(1) may

1 designate a representative to serve on the executive committee.

2 Sec. 113.0102. VACANCY. A vacancy on the executive  
3 committee shall be filled in the same manner as the original  
4 appointment.

5 Sec. 113.0103. PRESIDING OFFICER. The executive committee  
6 shall elect a presiding officer from among the membership of the  
7 executive committee.

8 Sec. 113.0104. STATEWIDE BEHAVIORAL HEALTH COORDINATING  
9 COUNCIL. The consortium shall designate a member of the executive  
10 committee to represent the consortium on the statewide behavioral  
11 health coordinating council.

12 Sec. 113.0105. GENERAL DUTIES. The executive committee  
13 shall:

14 (1) coordinate the provision of funding to the  
15 health-related institutions of higher education listed in Section  
16 113.0052(1) to carry out the purposes of this chapter;

17 (2) establish procedures and policies for the  
18 administration of funds under this chapter;

19 (3) monitor funding and agreements entered into under  
20 this chapter to ensure recipients of funding comply with the terms  
21 and conditions of the funding and agreements; and

22 (4) establish procedures to document compliance by  
23 executive committee members and staff with applicable laws  
24 governing conflicts of interest.

25 SUBCHAPTER D. ACCESS TO CARE

26 Sec. 113.0151. CHILD PSYCHIATRY ACCESS NETWORK AND  
27 TELEMEDICINE AND TELEHEALTH PROGRAMS. (a) The consortium shall

1 establish a network of comprehensive child psychiatry access  
2 centers. A center established under this section shall:

3 (1) be located at a health-related institution of  
4 higher education listed in Section 113.0052(1); and

5 (2) provide consultation services and training  
6 opportunities for pediatricians and primary care providers  
7 operating in the center's geographic region to better care for  
8 children and youth with behavioral health needs.

9 (b) The consortium shall establish or expand telemedicine  
10 or telehealth programs for identifying and assessing behavioral  
11 health needs and providing access to mental health care services.  
12 The consortium shall implement this subsection with a focus on the  
13 behavioral health needs of at-risk children and adolescents.

14 (c) A health-related institution of higher education listed  
15 in Section 113.0052(1) may enter into a memorandum of understanding  
16 with a community mental health provider to:

17 (1) establish a center under Subsection (a); or

18 (2) establish or expand a program under Subsection  
19 (b).

20 (d) The consortium shall leverage the resources of a  
21 hospital system under Subsection (a) or (b) if the hospital system:

22 (1) provides consultation services and training  
23 opportunities for pediatricians and primary care providers that are  
24 consistent with those described by Subsection (a); and

25 (2) has an existing telemedicine or telehealth program  
26 for identifying and assessing the behavioral health needs of and  
27 providing access to mental health care services for children and

1 adolescents.

2 Sec. 113.0152. CONSENT REQUIRED FOR SERVICES TO MINOR.

3 (a) A person may provide mental health care services to a child  
4 younger than 18 years of age through a program established under  
5 this subchapter only if the person obtains the written consent of  
6 the parent or legal guardian of the child.

7 (b) The consortium shall develop and post on its Internet  
8 website a model form for a parent or legal guardian to provide  
9 consent under this section.

10 (c) This section does not apply to services provided by a  
11 school counselor in accordance with Section 33.005, 33.006, or  
12 33.007, Education Code.

13 Sec. 113.0153. REIMBURSEMENT FOR SERVICES. A child  
14 psychiatry access center established under Section 113.0151(a) may  
15 not submit an insurance claim or charge a pediatrician or primary  
16 care provider a fee for providing consultation services or training  
17 opportunities under this section.

18 SUBCHAPTER E. CHILD MENTAL HEALTH WORKFORCE

19 Sec. 113.0201. CHILD PSYCHIATRY WORKFORCE EXPANSION.

20 (a) The executive committee may provide funding to a  
21 health-related institution of higher education listed in Section  
22 113.0052(1) for the purpose of funding:

23 (1) two full-time psychiatrists who treat children and  
24 adolescents to serve as academic medical director at a facility  
25 operated by a community mental health provider; and

26 (2) two new resident rotation positions.

27 (b) An academic medical director described by Subsection



1 (a) shall collaborate and coordinate with a community mental health  
2 provider to expand the amount and availability of mental health  
3 care resources by developing training opportunities for residents  
4 and supervising residents at a facility operated by the community  
5 mental health provider.

6 (c) An institution of higher education that receives  
7 funding under Subsection (a) shall require that psychiatric  
8 residents participate in rotations through the facility operated by  
9 the community mental health provider in accordance with Subsection  
10 (b).

11 Sec. 113.0202. CHILD AND ADOLESCENT PSYCHIATRY FELLOWSHIP.

12 (a) The executive committee may provide funding to a  
13 health-related institution of higher education listed in Section  
14 113.0052(1) for the purpose of funding a physician fellowship  
15 position that will lead to a medical specialty in the diagnosis and  
16 treatment of psychiatric and associated behavioral health issues  
17 affecting children and adolescents.

18 (b) The funding provided to a health-related institution of  
19 higher education under this section must be used to increase the  
20 number of fellowship positions at the institution and may not be  
21 used to replace existing funding for the institution.

22 SUBCHAPTER F. MISCELLANEOUS PROVISIONS

23 Sec. 113.0251. BIENNIAL REPORT. Not later than December 1  
24 of each even-numbered year, the consortium shall prepare and submit  
25 to the governor, the lieutenant governor, the speaker of the house  
26 of representatives, and the standing committee of each house of the  
27 legislature with primary jurisdiction over behavioral health

1 issues and post on its Internet website a written report that  
2 outlines:

3 (1) the activities and objectives of the consortium;

4 (2) the health-related institutions of higher  
5 education listed in Section 113.0052(1) that receive funding by the  
6 executive committee; and

7 (3) any legislative recommendations based on the  
8 activities and objectives described by Subdivision (1).

9 Sec. 113.0252. APPROPRIATION CONTINGENCY. The consortium  
10 is required to implement a provision of this chapter only if the  
11 legislature appropriates money specifically for that purpose. If  
12 the legislature does not appropriate money specifically for that  
13 purpose, the consortium may, but is not required to, implement a  
14 provision of this chapter.

15 SECTION 23. Section 161.325(d), Health and Safety Code, is  
16 amended to read as follows:

17 (d) A school district may develop practices and procedures  
18 concerning each area listed in Subsection (a-1), including mental  
19 health promotion and intervention, substance abuse prevention and  
20 intervention, and suicide prevention, that:

21 (1) include a procedure for providing educational  
22 material to all parents and families in the district that contains  
23 information on identifying risk factors, accessing resources for  
24 treatment or support provided on and off campus, and accessing  
25 available student accommodations provided on campus;

26 (2) include a procedure for providing notice of a  
27 recommendation for early mental health or substance abuse

1 intervention regarding a student to a parent or guardian of the  
2 student within a reasonable amount of time after the identification  
3 of early warning signs as described by Subsection (b)(2);

4 (3) [~~(2)~~] include a procedure for providing notice of  
5 a student identified as at risk of committing suicide to a parent or  
6 guardian of the student within a reasonable amount of time after the  
7 identification of early warning signs as described by Subsection  
8 (b)(2);

9 (4) [~~(3)~~] establish that the district may develop a  
10 reporting mechanism and may designate at least one person to act as  
11 a liaison officer in the district for the purposes of identifying  
12 students in need of early mental health or substance abuse  
13 intervention or suicide prevention; and

14 (5) [~~(4)~~] set out available counseling alternatives  
15 for a parent or guardian to consider when their child is identified  
16 as possibly being in need of early mental health or substance abuse  
17 intervention or suicide prevention.

18 SECTION 24. Section 1701.263(b), Occupations Code, is  
19 amended to read as follows:

20 (b) The commission by rule shall require a school district  
21 peace officer or a school resource officer who is commissioned by or  
22 who provides law enforcement at a school district [~~with an~~  
23 ~~enrollment of 30,000 or more students~~] to successfully complete an  
24 education and training program described by this section before or  
25 within 180 [~~120~~] days of the officer's commission by or placement in  
26 the district or a campus of the district. The program must:

27 (1) consist of at least 16 hours of training;

1 (2) be approved by the commission; and

2 (3) provide training in accordance with the curriculum  
3 developed under Section 1701.262 in each subject area listed in  
4 Subsection (c) of that section.

5 SECTION 25. From funds appropriated for that purpose, the  
6 commissioner of education shall establish and administer a grant  
7 program to award grants to local education agencies to improve and  
8 maintain student and school safety.

9 SECTION 26. Not later than January 1, 2020:

10 (1) the Texas School Safety Center shall:

11 (A) develop a list of best practices for ensuring  
12 the safety of public school students receiving instruction in  
13 portable buildings; and

14 (B) provide information regarding the list of  
15 best practices to school districts using portable buildings for  
16 student instruction;

17 (2) the commissioner of education shall adopt or amend  
18 rules as required by Section 7.061, Education Code, as added by this  
19 Act; and

20 (3) the commissioner of education, in consultation  
21 with the Texas School Safety Center and the state fire marshal,  
22 shall adopt rules as required by Section 37.114, Education Code, as  
23 added by this Act.

24 SECTION 27. (a) Not later than December 1, 2019, the Texas  
25 Education Agency shall develop and distribute to each regional  
26 education service center the rubric required by Section 38.251,  
27 Education Code, as added by this Act.

1 (b) Not later than March 1, 2020:

2 (1) each regional education service center shall  
3 complete the regional inventory of mental health resources required  
4 by Section 38.252, Education Code, as added by this Act, and report  
5 to the Texas Education Agency on the resources identified through  
6 the inventory; and

7 (2) the Texas Education Agency shall complete the  
8 statewide inventory of mental health resources required by Section  
9 38.253, Education Code, as added by this Act, and develop a list of  
10 resources available to school districts statewide to address the  
11 mental health of students.

12 (c) Not later than April 1, 2020, the Texas Education Agency  
13 shall develop the statewide plan for student mental health required  
14 by Section 38.254, Education Code, as added by this Act, submit an  
15 electronic copy of the plan to the legislature, and post the plan on  
16 the agency's Internet website.

17 SECTION 28. As soon as practicable after the effective date  
18 of this Act, the executive commissioner of the Health and Human  
19 Services Commission, the commissioner of the Texas Higher Education  
20 Coordinating Board, and the members of the executive committee  
21 described by Section 113.0101(a)(1), Health and Safety Code, as  
22 added by this Act, shall make the appointments and designations  
23 required by Section 113.0101, Health and Safety Code, as added by  
24 this Act.

25 SECTION 29. (a) Notwithstanding Section 1701.263(b),  
26 Occupations Code, as amended by this Act, a school district peace  
27 officer or school resource officer who commences employment with or

1 commences providing law enforcement at a school district with an  
2 enrollment of fewer than 30,000 students on a date occurring before  
3 September 1, 2019, shall complete the training required by Section  
4 1701.263, Occupations Code, as amended by this Act, as soon as  
5 practicable and not later than August 31, 2020. This subsection  
6 does not apply to an officer who is exempt from the training  
7 established under Section 1701.263, Occupations Code, as amended by  
8 this Act, because the officer has completed the training described  
9 by Subsection (b-1) of that section.

10 (b) Not later than October 1, 2019, a school district with  
11 an enrollment of fewer than 30,000 students shall adopt the  
12 training policy for school district peace officers and school  
13 resource officers required by Section 37.0812, Education Code, as  
14 amended by this Act.

15 SECTION 30. Sections 28.002 and 28.004(c), Education Code,  
16 as amended by this Act, apply beginning with the 2019-2020 school  
17 year.

18 SECTION 31. The Texas Education Agency and the Texas School  
19 Safety Center are required to implement a provision of this Act only  
20 if the legislature appropriates money specifically for that  
21 purpose. If the legislature does not appropriate money  
22 specifically for that purpose, the Texas Education Agency or the  
23 Texas School Safety Center may, but is not required to, implement a  
24 provision of this Act using other appropriations available for that  
25 purpose.

26 SECTION 32. To the extent of any conflict, this Act prevails  
27 over another Act of the 86th Legislature, Regular Session, 2019,

1 relating to nonsubstantive additions to and corrections in enacted  
2 codes.

3         SECTION 33. This Act takes effect immediately if it  
4 receives a vote of two-thirds of all the members elected to each  
5 house, as provided by Section 39, Article III, Texas Constitution.  
6 If this Act does not receive the vote necessary for immediate  
7 effect, this Act takes effect September 1, 2019.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 11 passed the Senate on April 29, 2019, by the following vote: Yeas 29, Nays 2; May 23, 2019, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 23, 2019, House granted request of the Senate; May 26, 2019, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 11 passed the House, with amendments, on May 22, 2019, by the following vote: Yeas 135, Nays 7, three present not voting; May 23, 2019, House granted request of the Senate for appointment of Conference Committee; May 26, 2019, House adopted Conference Committee Report by the following vote: Yeas 137, Nays 8, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor