

1-1 By: Taylor S.B. No. 11
1-2 (In the Senate - Filed March 4, 2019; March 4, 2019, read
1-3 first time and referred to Committee on Education; April 17, 2019,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 10, Nays 1; April 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Fallon	X			
1-12 Hall		X		
1-13 Hughes	X			
1-14 Paxton	X			
1-15 Powell	X			
1-16 Watson	X			
1-17 West	X			

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 11 By: Taylor

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to policies, procedures, and measures for school safety
1-23 and mental health promotion in public schools.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter C, Chapter 7, Education Code, is
1-26 amended by adding Section 7.061 to read as follows:

1-27 Sec. 7.061. FACILITIES STANDARDS. (a) In this section,
1-28 "instructional facility" has the meaning assigned by Section
1-29 46.001.

1-30 (b) The commissioner shall adopt or amend rules as necessary
1-31 to ensure that building standards for instructional facilities and
1-32 other school district and open-enrollment charter school
1-33 facilities provide a secure and safe environment. In adopting or
1-34 amending rules under this section, the commissioner shall include
1-35 the use of best practices for:

1-36 (1) the design and construction of new facilities; and
1-37 (2) the improvement, renovation, and retrofitting of
1-38 existing facilities.

1-39 (c) Not later than September 1 of each even-numbered year,
1-40 the commissioner shall review all rules adopted or amended under
1-41 this section and amend the rules as necessary to ensure that
1-42 building standards for school district and open-enrollment charter
1-43 school facilities continue to provide a secure and safe
1-44 environment.

1-45 SECTION 2. Chapter 8, Education Code, is amended by adding
1-46 Subchapter E to read as follows:

1-47 SUBCHAPTER E. MENTAL HEALTH AND SUBSTANCE USE RESOURCES FOR
1-48 SCHOOL DISTRICT PERSONNEL

1-49 Sec. 8.151. DEFINITIONS. In this subchapter, "local mental
1-50 health authority" and "non-physician mental health professional"
1-51 have the meanings assigned by Section 571.003, Health and Safety
1-52 Code.

1-53 Sec. 8.152. EMPLOYMENT OF NON-PHYSICIAN MENTAL HEALTH
1-54 PROFESSIONAL AS MENTAL HEALTH AND SUBSTANCE USE RESOURCE. (a) A
1-55 local mental health authority shall employ a non-physician mental
1-56 health professional to serve as a mental health and substance use
1-57 resource for school districts located in the region served by a
1-58 regional education service center and in which the local mental
1-59 health authority provides services. In making a hiring decision
1-60 under this section, the local mental health authority shall consult

and collaborate with the regional education service center.

(b) If two or more local mental health authorities provide services in a region served by a regional education service center, the local mental health authority that primarily operates in the county in which the center is located shall employ the non-physician mental health professional and, in making any hiring decision, consult with other local mental health authorities providing services in that region and the regional education service center as provided by Subsection (a).

Sec. 8.153. INTERAGENCY COLLABORATION; MEMORANDUM OF UNDERSTANDING. (a) A local mental health authority that employs a non-physician mental health professional under Section 8.152 and the regional education service center shall collaborate in carrying out this subchapter.

(b) Each regional education service center shall provide for a non-physician mental health professional employed for the region served by the center with a space for the professional to carry out the professional's duties under Section 8.155. The local mental health authority that employs the professional shall pay the center a reasonable, negotiated administrative cost for providing the space.

(c) A local mental health authority and a regional education service center shall enter into a memorandum of understanding for the administration of this section.

Sec. 8.154. SUPERVISION OF NON-PHYSICIAN MENTAL HEALTH PROFESSIONAL. The local mental health authority that employs a non-physician mental health professional under Section 8.152 shall:

(1) supervise the professional in carrying out the professional's duties under Section 8.155;

(2) consult with any other local mental health authorities in the region in supervising the professional; and

(3) collaborate with the regional education service center in supervising the professional and seek input regarding the professional's performance.

Sec. 8.155. DUTIES OF NON-PHYSICIAN MENTAL HEALTH PROFESSIONAL. (a) A non-physician mental health professional employed under Section 8.152 shall work collaboratively with the regional education service center to implement mental health initiatives in the region and act as a resource for school district personnel by:

(1) helping personnel gain awareness and a better understanding of mental health and co-occurring mental health and substance use disorders;

(2) assisting personnel to implement initiatives related to mental health or substance use under:

(A) state law;

(B) rules adopted by a state agency;

(C) interagency memoranda of understanding; or

(D) programs related to the state law, rules, or memoranda of understanding;

(3) ensuring personnel are aware of:

(A) the list of recommended best practice-based programs and research-based practices developed under Section 161.325, Health and Safety Code;

(B) other public and private mental health and substance use prevention, treatment, and recovery programs available in the school district, including programs provided by a local mental health authority; and

(C) other additional Health and Human Services Commission resources that are available to support school districts, students, or students' families;

(4) assisting school district personnel in accessing the resources described by Subdivision (3) on request;

(5) on a bimonthly basis, providing personnel with mental health first aid training;

(6) on a bimonthly basis, providing personnel with training on prevention and intervention programs that have been shown to be effective in helping students cope with pressures to:

(A) use alcohol, cigarettes, or illegal drugs; or
 (B) misuse prescription drugs;

(7) on an annual basis, providing personnel with training regarding the effects of grief and trauma and providing support to children with intellectual or developmental disabilities who suffer from grief or trauma;

(8) on an annual basis, providing school districts in the region an updated list of provider information for mental health and substance use prevention, treatment, and recovery services; and

(9) performing any other duties established by the memorandum of understanding under Section 8.153(c).

(b) A non-physician mental health professional employed under Section 8.152 may not treat or provide counseling to a student or provide specific advice to school district personnel regarding a student.

Sec. 8.156. PARTICIPATION BY SCHOOL DISTRICT NOT REQUIRED. This subchapter does not require a school district to participate in training provided by a non-physician mental health professional or otherwise use the professional as a resource.

Sec. 8.157. DISTRIBUTION OF FUNDING. A state agency to which money is appropriated to carry out this subchapter shall ensure that the money is distributed equally among the local mental health authorities that employ and supervise non-physician mental health professionals under this subchapter.

Sec. 8.158. REPORT. (a) Before the last business day of each calendar year, each local mental health authority that employs and supervises a non-physician mental health professional under this subchapter shall prepare and submit a report to the Health and Human Services Commission regarding the outcomes for school districts and students resulting from services provided by the non-physician mental health professional.

(b) Not later than January 31 of the following calendar year, the commission shall compile the information submitted under this section and prepare and provide a preliminary report to the agency for review and input. After receiving the agency's recommendations on the preliminary report, the commission shall prepare and submit a final report to the agency, the lieutenant governor, the speaker of the house of representatives, each standing committee of the legislature having primary jurisdiction over mental health, and each standing committee of the legislature having primary jurisdiction over public education.

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

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

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

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

(3) strategies for improvement of student performance that include:

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

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

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

(ii) conflict resolution programs;

(iii) violence prevention programs; and

(iv) dyslexia treatment programs;

(C) dropout reduction;

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

(E) discipline management;

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

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

(H) accelerated education;

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

(A) higher education admissions and financial aid opportunities;

(B) the TEXAS grant program and the Teach for Texas grant program established under Chapter 56;

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

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

(5) resources needed to implement identified strategies;

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

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

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

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

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

SECTION 4. Section 12.104(b), Education Code, as amended by Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts of the 85th Legislature, Regular Session, 2017, is reenacted and amended to read as follows:

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

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

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

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

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

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

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under Section 28.025;

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

(G) bilingual education under Subchapter B,

5-1 Chapter 29;
5-2 (H) prekindergarten programs under Subchapter E
5-3 or E-1, Chapter 29;
5-4 (I) extracurricular activities under Section
5-5 33.081;
5-6 (J) discipline management practices or behavior
5-7 management techniques under Section 37.0021;
5-8 (K) health and safety under Chapter 38;
5-9 (L) public school accountability under
5-10 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;
5-11 (M) the requirement under Section 21.006 to
5-12 report an educator's misconduct;
5-13 (N) intensive programs of instruction under
5-14 Section 28.0213;
5-15 (O) the right of a school employee to report a
5-16 crime, as provided by Section 37.148; ~~and~~
5-17 (P) bullying prevention policies and procedures
5-18 under Section 37.0832;
5-19 (Q) the right of a school under Section 37.0052
5-20 to place a student who has engaged in certain bullying behavior in a
5-21 disciplinary alternative education program or to expel the student;
5-22 ~~and~~
5-23 (R) the right under Section 37.0151 to report to
5-24 local law enforcement certain conduct constituting assault or
5-25 harassment;
5-26 (S) ~~(P)~~ a parent's right to information
5-27 regarding the provision of assistance for learning difficulties to
5-28 the parent's child as provided by Sections 26.004(b)(11) and
5-29 26.0081(c) and (d); and
5-30 (T) school safety requirements under Sections
5-31 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207,
5-32 and 37.2071.
5-33 SECTION 5. Sections 21.054(d) and (d-2), Education Code,
5-34 are amended to read as follows:
5-35 (d) Continuing education requirements for a classroom
5-36 teacher must provide that not more than 25 percent of the training
5-37 required every five years include instruction regarding:
5-38 (1) collecting and analyzing information that will
5-39 improve effectiveness in the classroom;
5-40 (2) recognizing early warning indicators that a
5-41 student may be at risk of dropping out of school;
5-42 (3) digital learning, digital teaching, and
5-43 integrating technology into classroom instruction;
5-44 (4) educating diverse student populations, including:
5-45 (A) students with disabilities, including mental
5-46 health disorders;
5-47 (B) students who are educationally
5-48 disadvantaged;
5-49 (C) students of limited English proficiency; and
5-50 (D) students at risk of dropping out of school;
5-51 ~~and~~
5-52 (5) understanding appropriate relationships,
5-53 boundaries, and communications between educators and students;
5-54 ~~and~~ ~~(6) [(d-2) Continuing education requirements for a~~
5-55 ~~classroom teacher may include instruction regarding] how grief and~~
5-56 ~~trauma affect student learning and behavior and how evidence-based,~~
5-57 ~~grief-informed, and trauma-informed strategies support the~~
5-58 ~~academic success of students affected by grief and trauma.~~
5-59 (d-2) The instruction required under Subsection (d)(6)
5-60 must:
5-61 (1) comply with the training required by Section
5-62 38.036(c)(1); and
5-63 (2) be approved by the commissioner.
5-64 SECTION 6. Section 25.081(a), Education Code, is amended to
5-65 read as follows:
5-66 (a) Except as authorized under Subsection (b) of this
5-67 section, Section 25.0815, Section 25.084, or Section 29.0821, for
5-68 each school year each school district must operate for at least
5-69

75,600 minutes, including time allocated for instruction, intermissions, and recesses for students.

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

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

(b) A waiver under this section:

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

(2) may not:

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

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

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

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

SECTION 8. Section 37.108, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (f) to read as follows:

(a) Each school district or public junior college district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center in conjunction with the governor's office of homeland security and the commissioner of education or commissioner of higher education, as applicable ~~[in conjunction with the governor's office of homeland security]~~. The plan must provide for:

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

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

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

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

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

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

(b) At least once every three years, each school district or public junior college district shall conduct a safety and security audit of the district's facilities. To the extent possible, a district shall follow safety and security audit procedures developed by the Texas School Safety Center or a person included in the registry established by the Texas School Safety Center under Section 37.2091 ~~[comparable public or private entity]~~.

(c) A school district or public junior college district shall report the results of the safety and security audit conducted under Subsection (b) to the district's board of trustees and, in the

manner required by the Texas School Safety Center, to the Texas School Safety Center. The report provided to the Texas School Safety Center under this subsection must be signed by the district's board of trustees and superintendent.

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

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

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

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

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

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

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

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

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

(C) include training on integrating psychological safety strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and Texas School Safety Center for:

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

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

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

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

(E) implement trauma-informed policies;

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

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

SECTION 9. Subchapter D, Chapter 37, Education Code, is amended by adding Sections 37.1081 and 37.1082 to read as follows:

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

(1) the district's failure to:

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

(B) report the results of a safety and security

audit to the Texas School Safety Center as required by law;
 (2) the dates during which the district has not been in compliance; and

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

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

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

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

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

(a) If the agency receives notice from the Texas School Safety Center of a school district's failure to submit a multihazard emergency operations plan, the commissioner may appoint a conservator for the district under Chapter 39A. The conservator may order the district to adopt, implement, and submit a multihazard emergency operations plan.

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

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

SECTION 10. Section 37.109, Education Code, is amended by adding Subsections (a-1), (c), and (d) and amending Subsection (b) to read as follows:

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

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

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

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

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

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

(6) the district's superintendent;

(7) one or more designees of the district's superintendent, one of whom must be a classroom teacher in the district;

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

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

(b) The committee shall:

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

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

Safety Center under Section 37.2091;

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

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

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

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

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

SECTION 11. Subchapter D, Chapter 37, Education Code, is amended by adding Sections 37.113, 37.114, and 37.115 to read as follows:

Sec. 37.113. NOTIFICATION REGARDING BOMB THREAT OR TERRORISTIC THREAT. A school district that receives a bomb threat or terroristic threat relating to a campus or other district facility at which students are present shall provide notification of the threat as soon as possible to the parent or guardian of or other person standing in parental relation to each student who is assigned to the campus or who regularly uses the facility, as applicable.

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

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

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

(A) evacuation fire exit drills; and
(B) lockdown, lockout, shelter-in-place, and evacuation drills.

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

(1) "Harmful, threatening, or violent behavior" includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, or assault, by a student that could result in:

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

(B) in-school suspension;

(C) out-of-school suspension; or

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

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

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

(1) physical and psychological safety;

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

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

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

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

(1) be consistent with the model policies and procedures developed by the Texas School Safety Center;

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

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

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

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

(f) Each team shall:

(1) conduct a threat assessment that includes:

(A) assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with the policies and procedures adopted under Subsection (c); and

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

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

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

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

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

(g) On a determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. The requirements of this subsection do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

(h) A team identifying a student at risk of suicide shall

act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

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

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

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

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

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

(A) any disciplinary action taken, including a change in school placement;

(B) any action taken by law enforcement; or

(C) a referral to or change in counseling, mental health, special education, or other services;

(4) the total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:

(A) citations issued for Class C misdemeanor offenses;

(B) arrests;

(C) incidents of uses of restraint;

(D) changes in school placement, including placement in a juvenile justice alternative education program or disciplinary alternative education program;

(E) referrals to or changes in counseling, mental health, special education, or other services;

(F) placements in in-school suspension or out-of-school suspension and incidents of expulsion;

(G) unexcused absences of 15 or more days during the school year; and

(H) referrals to juvenile court for truancy; and

(5) the number and percentage of school personnel trained in:

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

(i) suicide prevention; or

(ii) grief and trauma-informed practices;

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

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

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

(k) The commissioner may adopt rules to implement this section.

SECTION 12. Section 37.207, Education Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

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

(d) If a district fails to report the results of its audit as required under Subsection (b), the center shall provide the

district with written notice that the district has failed to report its audit results and must immediately report the results to the center.

(e) If six months after the date of the initial notification required by Subsection (d) the district has still not reported the results of its audit to the center, the center shall notify the agency and the district of the district's requirement to conduct a public hearing under Section 37.1081. This subsection applies only to a school district.

SECTION 13. Subchapter G, Chapter 37, Education Code, is amended by adding Section 37.2071 to read as follows:

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

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

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

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

(2) provide the district with written notice:
(A) describing the plan's deficiencies; and
(B) stating that the district must correct the deficiencies in its plan and resubmit the revised plan to the center.

(d) If a district fails to submit its multihazard emergency operations plan to the center for review, the center shall provide the district with written notice stating that the district:

(1) has failed to submit a plan; and
(2) must submit a plan to the center for review and verification.

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

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

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

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

(i) Any document or information collected, developed, or produced during the review and verification of multihazard emergency operations plans under this section is not subject to disclosure under Chapter 552, Government Code.

SECTION 14. Section 37.2091(d), Education Code, is amended to read as follows:

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

~~center endorses the person's school safety or security consulting services].~~

SECTION 15. Subchapter G, Chapter 37, Education Code, is amended by adding Section 37.220 to read as follows:

Sec. 37.220. MODEL THREAT ASSESSMENT TEAM POLICIES AND PROCEDURES. (a) The center shall develop model policies and procedures to assist school districts in establishing and training threat assessment teams.

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

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

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

SECTION 16. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.036 to read as follows:

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

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

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

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

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

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

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

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

(2) as part of any new employee orientation for all new school district educators; and

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

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

(e) Each school district shall report annually to the Texas Education Agency the following information for the district as a whole and for each school campus:

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

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

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

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

SECTION 17. Section 45.001(a), Education Code, is amended to read as follows:

(a) The governing board of an independent school district, including the city council or commission that has jurisdiction over a municipally controlled independent school district, the governing board of a rural high school district, and the

commissioners court of a county, on behalf of each common school district under its jurisdiction, may:

(1) issue bonds for:

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

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

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

(D) the purchase of new school buses;

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

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

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

SECTION 18. Chapter 61, Education Code, is amended by adding Subchapter LL to read as follows:

SUBCHAPTER LL. REPAYMENT OF CERTAIN SCHOOL COUNSELOR EDUCATION LOANS

Sec. 61.9851. LOAN REPAYMENT ASSISTANCE AUTHORIZED. The board shall provide, in accordance with this subchapter and board rules, assistance in the repayment of eligible student loans for eligible school counselors who apply and qualify for the assistance.

Sec. 61.9852. ELIGIBILITY. To be eligible to receive loan repayment assistance under this subchapter, a school counselor must:

(1) apply annually for the repayment assistance in a manner prescribed by the board;

(2) be a United States citizen or permanent resident alien;

(3) have earned at least a master's degree related to counseling from any public or accredited private institution of higher education;

(4) be:

(A) certified as a school counselor under Subchapter B, Chapter 21; or

(B) licensed as a specialist in school psychology under Section 501.260, Occupations Code; and

(5) have completed one, two, three, four, or five years of consecutive employment by a school district or open-enrollment charter school in this state:

(A) all or part of which is located in a federally designated mental health care health professional shortage area; or

(B) at a school that receives federal funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.).

Sec. 61.9853. LIMITATIONS. A school counselor may receive loan repayment assistance under this subchapter for not more than five years.

Sec. 61.9854. ELIGIBLE LOANS. (a) The board may provide loan repayment assistance under this subchapter for the repayment of any student loan for education at an institution of higher education, a private or independent institution of higher education, or a public or private out-of-state institution of higher education accredited by a recognized accrediting agency, including loans for undergraduate education, received by an eligible person through any lender.

(b) The board may not provide repayment assistance for a student loan that is in default at the time of the person's application.

(c) In each state fiscal biennium, the board shall attempt to allocate all funds appropriated to the board for the purpose of

15-1 providing loan repayment assistance under this subchapter.

15-2 Sec. 61.9855. REPAYMENT. (a) The board shall deliver any
 15-3 repayment under this subchapter in a lump sum payable:

15-4 (1) to both the lender or other holder of the loan and
 15-5 the school counselor; or

15-6 (2) directly to the lender or other holder of the loan
 15-7 on the school counselor's behalf.

15-8 (b) A repayment under this subchapter may be applied to any
 15-9 amount due in connection with the loan.

15-10 Sec. 61.9856. AMOUNT OF REPAYMENT ASSISTANCE. (a) A
 15-11 school counselor may receive loan repayment assistance under this
 15-12 subchapter for each year the school counselor establishes
 15-13 eligibility for the assistance in an amount determined by applying
 15-14 the following applicable percentage to the maximum total amount of
 15-15 assistance allowed for the school counselor under Subsection (b):

15-16 (1) for the first year, 10 percent;

15-17 (2) for the second year, 15 percent;

15-18 (3) for the third year, 20 percent;

15-19 (4) for the fourth year, 25 percent; and

15-20 (5) for the fifth year, 30 percent.

15-21 (b) The total amount of repayment assistance received by a
 15-22 school counselor under this subchapter may not exceed:

15-23 (1) \$80,000, for assistance received by a school
 15-24 counselor who holds a doctoral degree related to counseling; and

15-25 (2) \$40,000, for assistance received by a school
 15-26 counselor who holds a master's degree related to counseling.

15-27 (c) The total amount of loan repayment assistance provided
 15-28 under this subchapter may not exceed the sum of:

15-29 (1) the total amount of gifts and grants accepted by
 15-30 the board for the repayment assistance;

15-31 (2) legislative appropriations for the repayment
 15-32 assistance; and

15-33 (3) other funds available to the board for the
 15-34 repayment assistance.

15-35 (d) The board may adjust in an equitable manner the
 15-36 distribution amounts that school counselors would otherwise
 15-37 receive under Subsection (a) for a year as necessary to comply with
 15-38 Subsection (c).

15-39 Sec. 61.9857. RULES; ADMINISTRATION. (a) The board shall
 15-40 adopt rules necessary to administer this subchapter.

15-41 (b) The board shall distribute to each institution of higher
 15-42 education or private or independent institution of higher education
 15-43 and to any appropriate state agency and professional association
 15-44 copies of the rules adopted under this section and other pertinent
 15-45 information relating to this subchapter.

15-46 (c) The board shall administer the program under this
 15-47 subchapter in a manner that maximizes any matching funds available
 15-48 through other sources.

15-49 Sec. 61.9858. SOLICITATION AND ACCEPTANCE OF FUNDS. The
 15-50 board may solicit and accept gifts and grants from any public or
 15-51 private source for the purposes of this subchapter.

15-52 SECTION 19. From funds appropriated for that purpose, the
 15-53 commissioner of education shall establish and administer a grant
 15-54 program to award grants to local education agencies to improve and
 15-55 maintain student and school safety.

15-56 SECTION 20. Not later than January 1, 2020:

15-57 (1) the Texas School Safety Center shall:

15-58 (A) develop a list of best practices for ensuring
 15-59 the safety of public school students receiving instruction in
 15-60 portable buildings; and

15-61 (B) provide information regarding the list of
 15-62 best practices to school districts using portable buildings for
 15-63 student instruction;

15-64 (2) the commissioner of education shall adopt or amend
 15-65 rules as required by Section 7.061, Education Code, as added by this
 15-66 Act; and

15-67 (3) the commissioner of education, in consultation
 15-68 with the Texas School Safety Center and the state fire marshal,
 15-69 shall adopt rules as required by Section 37.114, Education Code, as

16-1 added by this Act.

16-2 SECTION 21. The Texas Education Agency and the Texas School
16-3 Safety Center are required to implement a provision of this Act only
16-4 if the legislature appropriates money specifically for that
16-5 purpose. If the legislature does not appropriate money
16-6 specifically for that purpose, the Texas Education Agency or the
16-7 Texas School Safety Center may, but is not required to, implement a
16-8 provision of this Act using other appropriations available for that
16-9 purpose.

16-10 SECTION 22. To the extent of any conflict, this Act prevails
16-11 over another Act of the 86th Legislature, Regular Session, 2019,
16-12 relating to nonsubstantive additions to and corrections in enacted
16-13 codes.

16-14 SECTION 23. This Act takes effect immediately if it
16-15 receives a vote of two-thirds of all the members elected to each
16-16 house, as provided by Section 39, Article III, Texas Constitution.
16-17 If this Act does not receive the vote necessary for immediate
16-18 effect, this Act takes effect September 1, 2019.

16-19 * * * * *