

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 674
By: Campbell
Education
5/1/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 161.325 (Mental Health Promotion and Intervention, Substance Abuse Prevention and Intervention, and Suicide Prevention), Health and Safety Code, requires the Department of State Health Services (DSHS), in coordination with the Texas Education Agency (TEA), to provide and annually update a list of best practice-based mental health promotion and intervention, substance abuse prevention, and suicide prevention programs that public schools may implement. Except as specified in that section, a school district is required to provide training in the components listed in Section 161.325, Health and Safety Code, to teachers, counselors, principals, and all other appropriate personnel.

S.B. 460, 83rd Legislature, Regular Session, 2013, amended Section 21.044 (Educator Preparation), Education Code, to add Subsections (c-1) and (c-2), which provide that educator certification programs for new teachers must include instruction in detection of students with mental or emotional disorders. However, instead of requiring that training for new teachers be selected from the list of best practice-based programs identified in Section 161.325, Health and Safety Code, as is required for existing teachers, the bill suggested that training for new teachers be developed by a panel of experts appointed by the State Board for Educator Certification.

Primary expertise in mental or emotional disorders lies within the purview of DSHS, not the State Board for Educator Certification. Having an outside appointed panel develop new training is duplicative and creates a risk of not having emerging educators be instructed on best practices. Additionally, the list of components required for training programs under the Education Code is different than the list of components required for training programs under Health and Safety Code, and does not require instruction in substance abuse and intervention or suicide prevention.

S.B. 674 resolves this by revising the Education Code to align the training requirements for emerging educators with the training requirements for existing educators, using best practice programs identified by DSHS in coordination with TEA. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 674 amends current law relating to instruction regarding mental health, substance abuse, and youth suicide in educator training programs.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.044(c-1), Education Code, as follows:

(c-1) Requires any minimum academic qualifications for a certificate specified under Subsection (a) (requiring the State Board for Educator Certification (SBEC) to propose rules establishing training requirements) that requires a person to possess a bachelor's degree to also require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide, rather than instruction in detection of students with mental or emotional disorders. Requires the instruction required to:

(1) be provided through a program selected from the list of recommended best practice-based programs established under Section 161.325 (Mental Health Promotion and Intervention, Substance Abuse Prevention and Intervention, and Suicide), Health and Safety Code; and

(2) include effective strategies for teaching and intervening with students with mental or emotional disorders, including de-escalation techniques and positive behavioral interventions and supports, rather than include effective strategies for teaching and intervening with students with mental or emotional disorders, including de-escalation techniques and positive behavioral interventions and supports.

SECTION 2. Repealer: Section 21.044(c-2) (relating to the requirements of instruction), Education Code.

SECTION 3. Effective date: September 1, 2015.