

BILL ANALYSIS

Senate Research Center
86R7997 MM-F

H.B. 111
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Persons with disabilities are victimized at much higher rates than those without disabilities and are much less likely to report abuse. The safety of students is of primary importance, and students with significant cognitive disabilities are particularly vulnerable. Providing training on identifying and preventing maltreatment and abuse of students with severe cognitive disabilities will equip schools with necessary tools to help decrease the amount of child abuse and neglect that occurs in Texas.

H.B. 111 would require that existing child abuse training outlined by Section 38.004, Education Code, must also include information on students with significant cognitive disabilities. This will ensure better preparation for educators and greater awareness of abuse of students with significant cognitive disabilities. H.B. 111 also reenacts and amends S.B. 2039 (85th) which was enrolled “only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.” Because it cannot be determined if a specific appropriation was made for these purposes, H.B. 111 reenacts and amends the code affected by S.B. 2039, which H.B. 111 amends.

H.B. 111 amends current law relating to public school policy and training for public school employees addressing the prevention of sexual abuse, sex trafficking, and other maltreatment of certain children.

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. Reenacts and amends Sections 38.0041(a), (a-1), (b), and (c), Education Code, as amended by Chapter 762 (S.B. 2039), Acts of the 85th Legislature, Regular Session, 2017, as follows:

(a)-(a-1) Makes no changes to these subsections.

(b) Requires a policy required by this section (Policies Addressing Sexual Abuse and Other Maltreatment of Children) to address:

(1) methods for increasing staff, student, and parent awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim of sexual abuse, sex trafficking, or other maltreatment, using resources developed by the Texas Education Agency (TEA) or the commissioner of education (commissioner) regarding those issues, including resources developed by TEA under Section 38.004 (Child Abuse Reporting and Programs), rather than developed by TEA under Section 38.004 or by the commissioner under Section 28.017 (Instruction on Prevention of Sexual Abuse and Sex Trafficking); and

(2)–(3) makes no changes to these subdivisions.

(c) Requires the methods under Subsection (b)(1) for increasing awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children to include training, as provided by this subsection, concerning prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities.

SECTION 2. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 3. Effective date: upon passage or September 1, 2019.