Sec. 1. THREAT ASSESSMENTS

a) Definitions

"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, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student's expulsion or removal to a disciplinary alternative education program or a juvenile justice alternative education program.

Tex. Educ. Code § 37.115(a)(1).

"Team" means a threat assessment and safe and supportive school team established by the Board. *Tex. Educ. Code § 37.115(a)(2).*

b) Threat Assessment and Safe and Supportive School Team

The Board shall establish a threat assessment and safe and supportive school team at each campus and shall adopt policies and procedures for the teams. The team is responsible for developing and implementing the safe and supportive school program under Texas Education Code § 37.115(b). Policies and procedures concerning the team must be consistent with the model policies and procedures developed by the Texas School Safety Center. *Tex. Educ. Code § 37.115(c)(1).*

i. *Training*

Each team must complete training provided by the Texas School Safety Center or a regional education service center regarding evidence-based threat assessment programs. *Tex. Educ. Code § 37.115(c)(2).*

ii. *Reports to TEA*

Each team must report the information required under Texas Education Code § 37.115(k) regarding the team's activities to the TEA. *Tex. Educ. Code § 37.115(c)(3).*

iii. *Employee Reports*

An Academy of Accelerated Learning, Inc. (AAL) employee who reports a potential threat to a team may elect for the employee's identity to be confidential and not subject to disclosure under

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Chapter 552, Texas Government Code, except as necessary for the team, the charter school, or law enforcement to investigate the potential threat.

AAL shall maintain a record of the identity of an employee who elects for the employee's identity to remain confidential.

Tex. Educ. Code § 37.115(c)(4).

iv. *Student Reports*

Each campus must establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate school employee.

Tex. Educ. Code § 37.115(c)(5).

v. *Campus Threats*

As soon as safe and practicable after an administrator or team for a campus receives information regarding a threat made against that campus, including through social media, the administrator or team immediately provide to each member of the teaching staff, including teacher's aides, who may be directly affected by the threat notice that includes:

1. A statement of the existence of the threat;
2. The nature of the threat; and
3. Any other pertinent details to ensure student and staff safety.

Tex. Educ. Code § 37.115(c)(6).

c) Team Membership

The Superintendent shall ensure, to the greatest extent practicable, 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, provided that:

1. Each AAL campus is assigned a team; and
2. In serving a particular campus, the team includes the person designated to serve as the campus behavior coordinator under Texas Education Code § 37.0012 for that campus.

Tex. Educ. Code § 37.115(d).

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If a student in a special education program under Subchapter A, Chapter 29, is the subject of a threat assessment under this policy, the team conducting the threat assessment must include at least one of the following persons who has specific knowledge of the student's disability and the disability's manifestations:

1. A special education teacher who provides instruction to the student;
2. A behavior analyst licensed under Chapter 506, Occupations Code;
3. A clinical or master social worker licensed under Chapter 505, Occupations Code; or
4. A specialist in school psychology licensed under Chapter 501, Occupations Code.

The team conducting a threat assessment for a student in a special education program under Subchapter A, Chapter 29 may also include:

1. An educational diagnostician; or
2. A behavior specialist.

Tex. Educ. Code § 37.115(d-1).

d) Team Responsibilities

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 this policy; 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 AAL 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 AAL in implementing its multi-hazard emergency operations plan.

Tex. Educ. Code § 37.115(f).

e) Parent Notification

Before a team may conduct a threat assessment of a student, the team must notify the parent of or person standing in parental relation to the student regarding the assessment. In conducting the assessment, the team shall provide an opportunity for the parent or person to participate in the

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assessment, either in person or remotely, and submit to the team information regarding the student. *Tex. Educ. Code § 37.115(f-1).*

After completing a threat assessment of a student, the team shall provide to the parent of or person standing in parental relation to the student the team's findings and conclusions regarding the student. *Tex. Educ. Code § 37.115(f-2).*

f) Providing Mental Health Care Services

A team may not provide a mental health care service to a student who is under 18 years of age unless the team obtains written consent from the parent or person standing in parental relation to the student before providing the mental health care service. The consent must be submitted on a form developed by AAL that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

Tex. Educ. Code § 37.115(g).

g) Determination of Risk

i. *Risk of Violence to Self or Others*

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the determination to the Superintendent and, if the individual is a student, immediately attempt to inform the parent or person standing in parental relation to the student. This notice requirement does not prevent an employee from acting immediately to prevent an imminent threat or respond to an emergency.

Tex. Educ. Code § 37.115(h).

ii. *Risk of Suicide*

A team identifying a student at risk of suicide shall act in accordance with AAL'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 AAL's suicide prevention program. *Tex. Educ. Code § 37.115(i).*

iii. *Risk of Possessing Tobacco, Drugs or Alcohol*

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A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with AAL's policies and procedures related to substance use prevention and intervention. *Tex. Educ. Code § 37.115(j).*

h) Oversight Responsibility

The Superintendent may establish a committee, or assign to an existing committee, the duty to oversee the operations of teams established for AAL. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance abuse, school safety and security, emergency management, and law enforcement.

Tex. Educ. Code § 37.115(e).

i) Reports to TEA

A team must report to TEA the following information regarding the team's activities and other information for each 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, if applicable;
   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

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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 Texas Education Code § 37.115(b); or
   d. Any other program relating to safety identified by the Commissioner.

Tex. Educ. Code § 37.115(k).

j) Record Maintenance

Materials and information provided to or produced by a team during a threat assessment of a student under this policy must be maintained in the student's school record until the student's 24th birthday. *Tex. Educ. Code § 37.115(j-1)*.

Sec. 2. TRAUMA-INFORMED CARE PLAN

a) Plan Requirements

AAL shall adopt and implement a policy requiring the integration of trauma-informed practices in each school environment. The policy must address:

1. Using resources developed by TEA, methods for:
   a. Increasing staff and parent awareness of trauma-informed care; and
   b. Implementation of trauma-informed care practices and care by school staff; and
2. Available counseling options for students affected by trauma or grief.

Tex. Educ. Code § 38.036(a), (b).

b) Training Requirements

Methods for increasing awareness and implementation of trauma-informed care must be discussed in training:

1. That is provided:
   a. Through a program selected from the list of recommended best practice-based programs and research-based practices established under Texas Education Code § 38.351;

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b. In accordance with the policy adopted under Texas Education Code § 21.4515, to the extent applicable; and
c. As part of any new employee orientation for all new educators at the school.

2. That addresses how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.

Tex. Educ. Code § 38.036(c).

The training may include two or more listed topics together. *Tex. Educ. Code § 38.036(c-1)*.

AAL shall keep records of each training conducted, to include the name of each staff member who participated in the training. *Tex. Educ. Code § 38.036(d)*.

c) Training Partnerships

If AAL determines that it does not have sufficient resources to provide the training required under Texas Education Code § 38.036(c), AAL may partner with a community mental health organization to provide training that meets the requirements of that law at no cost to the school. *Tex. Educ. Code § 38.036(f)*.

SEC. 4. MENTAL HEALTH PROMOTION AND INTERVENTION, SUBSTANCE ABUSE PREVENTION AND INTERVENTION, AND SUICIDE PREVENTION

a) Practices and Procedures

AAL shall develop practices and procedures concerning each of the following areas:

1. Early mental health prevention and intervention;
2. Building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making;
3. Substance abuse prevention and intervention;
4. Suicide prevention, intervention, and postvention;
5. Grief-informed and trauma-informed practices;
6. Positive school climates;
7. Positive behavior interventions and supports;
8. Positive youth development; and
9. Safe, supportive, and positive school climate.

The practices and procedures must:

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1. Include a procedure for providing notice of a recommendation for early mental health or substance abuse intervention regarding a student to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs;
2. Include a procedure for providing notice of a student identified as at risk of attempting suicide to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs;
3. Establish that the school may develop a reporting mechanism and may designate at least one person to act as a liaison officer in the district for the purposes of identifying students in need of early mental health or substance abuse intervention or suicide prevention;
4. Set out available counseling alternatives for a parent or guardian to consider when their child is identified as possibly being in need of early mental health or substance abuse intervention or suicide prevention; and
5. Include procedures:
    a. To support the return of a student to school following hospitalization or residential treatment for a mental health condition or substance abuse; and
    b. For suicide prevention, intervention, and postvention.

The practices and procedures developed as described above may address multiple areas together. The practices and procedures must prohibit the use without the prior consent of a student's parent or guardian of a medical screening of the student as part of the process of identifying whether the student is possibly in need of early mental health or substance abuse intervention or suicide prevention.

The practices and procedures developed as described above must be included in the student handbook and the district improvement plan, if applicable.

Tex. Educ. Code § 38.351.

b) No Waiver of Immunity

The above requirements do not waive any immunity from liability of AAL or its employees, create any liability for a cause of action against AAL or its officers or employees, or waive any immunity from liability under Texas Civil Practice and Remedies Code 74.151.

Tex. Educ. Code § 38.352.

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