

The Texas Education Agency (TEA) proposes new §153.1015, concerning mental health training. The proposed new rule would implement the mental health training requirement established by House Bill (HB) 3, 88th Texas Legislature, Regular Session, 2023.

BACKGROUND INFORMATION AND JUSTIFICATION: HB 3, 88th Texas Legislature, Regular Session, 2023, added Texas Education Code (TEC), §22.904, to require each school district employee who regularly interacts with students enrolled in the district to complete an evidence-based mental health training program designed to provide instruction to participants regarding the recognition and suppoion tl(p)1tpe(p)12 (.ll(de)4C)6.9 oihe toi.ll(xp2 (.ll()9.4 (t)6.9 (r8 TJ-0.

- (1) This section implements Texas Education Code (TEC), §22.904 (Mental Health Training). School districts may be eligible for reimbursement as specified in subsection (h) of this section.
 - (2) To complete the evidence-based mental health training program under this section, personnel who regularly interact with students as determined under subsection (c) of this section shall:
 - (A) participate and complete the required content in subsection (d) of this section;
 - (B) participate and complete the required content in subsection (e) of this section; and
 - (C) submit and maintain supporting documentation of completion as described in subsection (f) of this section.
- (c) Personnel required to complete the evidence-based mental health training program.
- (1) A school district shall require each district employee who regularly interacts with students enrolled at the district to complete an evidenced-based mental health training program that is designed to provide instruction regarding the recognition and support of children and youth who experience mental health or substance use issues that may pose a threat to school safety.
 - (2) School district employees who regularly interact with students are employees working on a school campus, including, but not limited to, teachers, coaches, librarians, instructional coaches, counselors, nurses, administration, administrative support personnel, student support personnel, paraprofessionals, substitutes, custodians, cafeteria staff, bus drivers, crossing guards, and district special programs liaisons. Special programs liaisons may include, but are not limited to, individuals who provide support for students who are homeless or in substitute care, military connected students, and emergent bilingual students; individuals involved in the prevention of child maltreatment and human trafficking; individuals who support special education services; and members of a Safe and Supportive Schools Program Team.
 - (A) A school district will determine the number of employees who regularly interact with students for purposes of compliance with this section using the requirements in this subsection and ensure that training is provided for the number and percentage of personnel in accordance with the timeline in subsection (g) of this section.
 - (B) A school district may, at its discretion, require contracted personnel who regularly interact with students to participate in the training.
 - (C) A school district may, at its discretion, require supervisors of personnel who regularly interact with students to participate in the training.
- (d) General Training Program Required Content.
- (1) A school district may select an evidence-based mental health training course that is on the recommended lists provided by the Texas Education Agency (TEA), the Texas Health and Human Services Commission (HHSC), or an education service center (ESC). A school district may not require a district employee who has previously completed the Youth Mental Health First Aid (YMHFA) or Mental Health First Aid (MHFA) course provided by a Local Mental Health Authority (LMHA), an ESC, or a YMHFA or MHFA trainer certified to teach those courses by the National Council on Mental Wellbeing if the employee provides the certificate of completion to the school district in accordance with the timeline established in subsection (g) of this section.
 - (2) If a school district selects an evidence-based mental health training course that is not on the recommended lists provided by TEA, HHSC, or an ESC, the school district may review and select the course to satisfy the training requirement under this section only if the course provides employees with the following evidence-based information, practices, and strategies:
 - (A) awareness and understanding of mental health and substance use prevalence data;
 - (B) knowledge, skills, and abilities for implementing mental health prevention and substance use prevention in a school to protect the health and safety of students and staff, including strategies to prevent harm or violence to self or others that may pose a threat to school safety;

- (C) awareness and introductory understanding of typical child development, adverse childhood experiences, grief and trauma, risk factors, the benefits of early identification and early intervention for children who may have potential mental health challenges and substance use concerns, and evidence-supported treatment and self-help strategies;
 - (D) awareness and understanding of mental health promotive and protective factors and strategies to deploy them for students in the school environment;
 - (E) experiential activities designed to:
 - (i) increase the participant's understanding of the impact of mental illness on individuals and families, skills for listening respectfully, and strategies for supporting the individual and family in a mental health crisis;
 - (ii) encourage help-seeking to obtain appropriate professional care; and
 - (iii) identify professional care, other supports, and self-help strategies for mental health and substance use challenges;
 - (F) knowledge, skills, and abilities to recognize risk factors and warning signs for early identification of students who may potentially have mental health challenges or substance use concerns in alignment with TEC, §38.351, and evidence-based information;
 - (G) knowledge, skills and abilities to support a student when potential mental health concerns or early warning signs are identified, including effective strategies for teachers to support student mental health in the classroom, including students with intellectual or developmental disabilities who may have co-occurring mental health challenges;
 - (H) knowledge, skills, and abilities to respectfully notify and engage with a child's parent or guardian regarding potential early warning signs of mental health or substance use concerns and make recommendations so a parent or guardian can seek help for their child;
 - (I) knowledge of school-based and community-based resources and referrals to connect families to services and support for student mental health, including early intervention in a crisis situation that may involve risk of harm to self or others; and
 - (J) knowledge of strategies to promote mental health and wellness for school staff.
- (3) In addition to the basic mental health training course under paragraph (1) or (2) of this subsection, school districts may provide more specialized mental health training opportunities for personnel with specific school mental health and safety related roles and responsibilities to strengthen their capacity to:
- (A) plan for and monitor a continuum of evidence-based school mental and behavioral health related services and supports;
 - (B) deliver practical, evidence-based practices and research-based programs that may include resources recommended by TEA, HHSC, or ESCs to strengthen training, procedures, and protocols designed to promote student mental health and wellness, to prevent harm or violence to self or others, and to prevent threats to school safety;
 - (C) intervene effectively to engage parents or guardians and caregivers with practical evidence-based practices and programs, including in mental and behavioral health related

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- (F) positive school climates;
- (G) positive behavior interventions and supports;
- (H) positive youth development; and
- (I) safe, supportive, and positive school climate.

(2) If the school district also develops practices and procedures for providing educational material to all parents and families in the district that contain information on identifying risk factors, accessing resources for treatment or support provided on and off campus, and accessing available student accommodations provided on campus in accordance with TEC, §38.351(i-1), personnel who regularly interact with students must also be informed of those practices and procedures.

(f) Documentation.

- (1) School districts shall require each district employee to provide the certificate of completion of the training content in subsection (d) of this section to the school district.
- (2) Documentation of the training content described in subsection (e) of this section may be satisfied when the employee submits to the district an acknowledgement form signed by the employee who received the current training and a copy of local procedures and practices that are published in the district handbook and/or district improvement plan.
- (3) Documentation of training for the mental health training program must be kept by the school district and made available to TEA upon request for the duration of the employee's employment with the district.

(g) Timeline.

- (1) At least 25% of the applicable district employees shall be trained before the start of the 2025-2026 school year.
- (2) At least 50% of the applicable school district employees shall be trained before the start of the 2026-2027 school year.
- (3) At least 75% of the applicable school district employees shall be trained before the start of the 2027-2028 school year.
- (4) 100% of the applicable district employees shall be trained b

compensation for time spent completing the required training. Substitute pay, travel costs such as mileage and lodging, and cost of materials are eligible for this reimbursement.

- (4) School districts may use the funding for training fees, travel expenses, and material costs for employees to attend trainer of trainer courses