

BILL ANALYSIS

Senate Research Center

S.B. 763
By: Middleton
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Public schools are currently in need of additional qualified individuals to counsel their students. School districts are in need of additional options to further aid their students.

Overview:

S.B. 763 would permit a school district to hire a school chaplain to perform the duties required of a school counselor. The funding for school chaplains will be allocated out of funds to promote school safety.

As proposed, S.B. 763 amends current law relating to allowing school districts to employ chaplains to perform the duties of school counselors.

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 33.002, Education Code, by adding Subsection (d), as follows:

(d) Authorizes a school district, notwithstanding Subsections (b) (relating to requiring certain school districts to employ a school counselor) and (c) (relating to requiring certain school districts to provide guidance and counseling services to elementary school students), to employ a chaplain instead of a school counselor to perform the duties required of a school counselor under Title 2 (Public Education). Provides that a chaplain employed under this subsection is not required to be certified by the State Board for Educator Certification.

SECTION 2. Amends Section 48.115(b), Education Code, as follows:

(b) Requires that funds allocated under Section 48.115 (School Safety Allotment) to be used to improve school safety and security, including costs associated with:

(1)-(2) makes no changes to these subdivisions;

(3) school safety and security training and planning, including:

(A)-(B) makes no changes to these paragraphs; and

(C) the prevention, identification, and management of emergencies and threats, using evidence-based, effective prevention practices and including:

(i) providing licensed counselors, social workers, chaplains, and individuals trained in restorative discipline and restorative justice practices;

(ii) providing mental health personnel and support, including chaplains;

(iii) providing behavioral health services, including hiring chaplains;

(iv) establishing threat reporting systems; and

(v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support, including the utilization of chaplains; and

(4) providing programs related to suicide prevention, intervention, and postvention, including the utilization of chaplains.

SECTION 3. Requires each board of trustees of a school district and each governing body of an open-enrollment charter school to take a record vote not later than six months after the effective date of this Act on whether to adopt a policy authorizing every campus of the district or school to hire a chaplain under Sections 33.002 (Certified School Counselor) and 48.115, Education Code, as added by this Act.

SECTION 4. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 5. Effective date: upon passage or September 1, 2023.