

- SUBJECT:** Requiring schools to notify parents of a threat assessment
- COMMITTEE:** Youth Health & Safety, Select — favorable, without amendment
- VOTE:** 7 ayes — S. Thompson, Hull, Allison, Capriglione, A. Johnson, Landgraf, Lozano
- 0 nays
- 2 absent — Dutton, T. King
- WITNESSES:** For — Lee Spiller, Citizens Commission on Human Rights; Carrie Moore, County Citizens Defending Freedom; Shawn McCullough (*Registered, but did not testify*: Steven Aleman, Disability Rights Texas; Paige Duggins-Clay, IDRA; Judy Powell, Parent Guidance Center; Cindi Castilla, Texas Eagle Forum; Suzi Kennon, Texas PTA; Jennifer Allmon, The Texas Catholic Conference of Bishops; Idona Griffith; Rachel Lopez; Thomas Parkinson; Fran Rhodes; Susan Stewart)
- Against — None
- On — Monty Exter, Texas Association of Professional Educators; Cassandra Hulsey, Texas Association of School Psychologists; Andrea Chevalier, Texas Council of Administrators of Special Education (*Registered, but did not testify*: Eric Marin, TEA; John Scott, Hank Weikert, Texas Education Agency; Dwight Harris, Texas Federation of Teachers)
- BACKGROUND:** Education Code sec. 37.115 requires each school district to establish a threat assessment and safe and supportive school team to serve at each campus in the district. The team is responsible for conducting threat assessments that include assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior and gathering and analyzing data to determine the level of risk and appropriate intervention. If a student is determined to pose a serious risk of violence to

self or others, the school's superintendent is required to immediately inform the parent or person standing in parental relation to the student.

Education Code sec. 12.104 establishes these requirements for charter schools.

DIGEST:

HB 473 would require a school's threat assessment and safe and supportive school team to notify the parent or person in parental relation to the student before conducting a threat assessment of a student. In conducting the assessment, the team would be required to provide an opportunity for the parent or person to:

- participate in the assessment, either in person or remotely; and
- submit information about the student to the team.

After completing a threat assessment of a student, the team would be required to provide to the parent or person standing in parental relation to the student the team's findings and conclusions regarding the student.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023. The bill would apply beginning with the 2023-2024 school year.

**SUPPORTERS
SAY:**

HB 473 would help to increase collaboration and communication between schools, threat assessment teams, and parents regarding threat assessments, which could ultimately improve school safety. Parents or guardians may have vital information and context about a potential concern that could be useful to the team. Parent participation in intervention planning is critical, so it is important for the team and the parent to have open, transparent communication. By requiring threat assessment teams to notify parents and guardians and provide an opportunity for parents to participate in a threat assessment, HB 473 could enable schools and families to provide more effective interventions and support to students.

The bill would ensure that parents are properly notified and involved in

threat assessments of their child. Parents have a right to be involved in conversations about their children, especially conversations regarding a child's risk of violence to self or others.

HB 473 also would establish consistent standards for notifying parents or guardians of a threat assessment. While some school districts already notify parents of a threat assessment, other schools only notify parents if the student is determined to pose a serious risk of violence. The bill would ensure that threat assessment teams throughout Texas are following best practices.

The bill would not prevent a threat assessment from taking place. If a situation was truly an emergency, schools should call emergency responders, as threat assessments do not replace emergency services. Additionally, assessment teams could protect the privacy of those who reported an incident or other students by not using names in the presence of a parent.

Though some have suggested adding exceptions for situations in which a parent should not be notified, such as in instances of an ongoing Child Protective Services (CPS) investigation, HB 473 provides that the legal parent or guardian be notified in the event of a threat assessment. In situations in which the parent was not the legal guardian, the threat assessment team would notify the legal guardian.

While some have suggested added a reporting requirement to the bill, there is no current reporting method and such an addition would be outside the scope of the bill. Currently, there are not standard requirements for conducting threat assessments, as such decisions are determined by school districts. To require standardized reporting, schools throughout Texas would have to standardize policies and procedures for conducting threat assessments.

CRITICS
SAY:

While parents should be notified of a threat assessment, HB 473 could cause delays in conducting a treat assessment. If threat assessment teams were required to make contact with a parent before conducting the treat

assessment, the assessment could be delayed if the school could not reach the parent. Threat assessments sometimes need to be conducted in a timely manner to mitigate an emergent risk and a delay could be harmful. HB 473 should add language clarifying that a parent's response to a notification is not required to begin conducting an assessment.

The bill should specify the extent of the parent's involvement in the process, as threat assessments often include sensitive information about other students that must remain confidential. While parents should be included in the intake and information gathering process, their involvement in the entire process could compromise the anonymity of those who reported information or other students involved. HB 473 should specify that parents could be involved in the process, as appropriate, to clarify that parents are not required to be allowed in meetings involving certain sensitive information.

HB 473 should include exceptions for cases in which notifying and contacting a parent could be inappropriate. For instance, if a child was exhibiting concerning behavior while CPS was conducting an investigation involving the parent, contacting the parent should be prohibited. The bill should include a provision so that threat assessment teams have flexibility in such instances.

**OTHER
CRITICS
SAY:**

While HB 473 would make beneficial changes to the threat assessment process, the bill should add a reporting requirement, specifying that threat assessment teams would be required to distribute reports about assessment methods, demographics, and outcomes.