



Question and Answer with Webinar Participants January 18, 2011

Q. On the priority bills, have they not been filed yet? (i.e., there are no bill numbers)

A. Correct, these bills are in the drafting pipeline and we expect them to be filed sometime soon.

Q. Do you support or oppose the extensive use of DAEP?

A. No, we do not support the extensive use of DAEPs (Disciplinary Alternative Education Programs). The bills we are supporting would enhance teachers' and administrators' ability to keep children in the classroom with better supports. We are supporting bills that restrict the use of ticketing, encourage schoolwide PBIS (Positive Behavioral Interventions and Supports), require remediation by schools that disproportionately discipline children in special education or children of color, and enhance districts' reporting to the Texas Education Agency. The "Create a Positive School Environment" section of our Juvenile Justice Roundtable legislative priorities has more detail <http://txchildren.org/Images/Interior/jj%20lege%20priorities%20and%20sign%20on%20sheet.pdf>.

Q. Will you do this in another couple of weeks to cover new bills filed?

A. While we do not currently have another webinar on this topic scheduled, we are considering adding one and, if we do, we will notify all participants in today's webinar. Each of our issue-specific forums will have an opportunity to discuss legislation in our monthly meetings. Please contact our policy staff for how to get involved in the Children's Mental Health Forum, Partners in Child Protection Reform, the Texas Infant Health Forum, and the Juvenile Justice Roundtable. (CS, pls hyperlink.)

Q. How will Nelson's childcare criminal background checks bill track implementation?

A. The bill would require the Health and Human Services Commission (HHSC) to adopt rules to implement the required background and criminal history checks for unregulated self-arranged child care, including rules that require fingerprints to be submitted electronically.

Q. Explain difference between a bill and an "HJR."

A. Bills that originate in the Senate are labeled "SB" for Senate Bill and those that come from the House are labeled "HB." SBs and HBs amend state law. "HJRs" and "SJRs" are Joint Resolutions that would amend the Texas Constitution. Since the Constitution is "higher" than regular statutes, JRs must be passed by 2/3 vote of the Legislature. They

must then also be passed by a majority of the popular vote in order to take effect. Texas Legislature Online has more at http://www.tlc.state.tx.us/gtli/legproc/otherleg_joint.html

Q. Are there any bills related to home visitation services?

There are currently no bills filed related to home visitation services, though it is likely that the budget process will impact home visitation at least as much as legislation would. The Texas Home Visitation Coalition

http://www.tecec.org/pages.php/Home_Visitation_Coalition.html has additional information on home visiting programs in Texas. Also, the task force created last session by SB 2080 is expected to release its report soon and its recommendation may address home visitation.

Q. I saw several bills that I recognized from last legislative session. If bills do not pass are they likely to show up in the next legislative session?

A. Yes, it is typical for a bill to be filed again if it is not passed in one session.

Q. Regarding HB 464 immigrant children not eligible for in-state tuition - could this impact foster care children's ability who receive free tuition?

A. It is not yet clear how this bill, if passed, would interact with tuition waivers for youth under the state's guardianship. We are working on understanding the full impact of this legislation on different populations of children and youth, so feel free to check back with us soon.

Q. I heard some of you comment about the effect a bill could have on youth. Do you analyze or have material about the effect and why to support or not support certain bills?

A. Yes. Please contact us about any bill you are interested in and our policy staff will be happy to talk with you about the impact of the bill along with why we are or are not supporting the legislation.

Q. Any legislation related to sex education in school possibly moving to science instead of health?

A. No specific legislation has been filed that would move sex education into the science curriculum, though a number of legislative office have expressed interest in reinstating the high school health requirement for graduation. SB 186 by Nelson would restore high school health to 2009 levels, though the bill does not otherwise impact sex education.

Q. Can you talk more about the "statewide smoking ban"?

A. Many cities in Texas have already passed ordinances that prohibit smoking in public places, including restaurants and bars. This bill, filed in previous sessions, would ban smoking in public places statewide, which would have its most significant impact in cities that have not yet passed a similar measure and in unincorporated areas of the state. For more information, see Smoke Free Texas at <http://smokefreetexas.org/>.

Q. Will Texans Care be sending out alerts for action? What else can we do out here in the field away from Austin?

A. Yes, Texans Care will send out action alerts when bills come up for a hearing or vote. Go to the Get Involved section of the Texans Care website <http://txchildren.org/Get-Involved> and sign up to receive alerts in the issue areas that most interest you. Then,

when it is time to act, be ready to visit, call, and write your legislators to ensure they put kids first.

Q. You may want to add this important psychotropic piece in Nelson's SB 219 as part of the STAR Health contract: Requirements that physicians and providers receive training regarding the overlapping diagnosis of PTSD and ADHD. This was added to ensure physicians prescribing meds for ADHD are not prescribed for PTSD as it exacerbates symptoms and behaviors of PTSD.

A. While with limited time we were not able to highlight all bills or all aspects of all bills filed, we are happy to share your comment here. Thank you.

Q. Could you tell us more about HB 284 limiting school counselors' non-counselor related activities?

A. HB 284 by Lucio III would require school districts to adopt policies that would require school counselors to spend no more than 10% of their total work time on non-counseling/guidance duties. Time spent in administering assessment instruments or providing other assistance in connection with assessment instruments (except time spent in interpreting data) would not be considered counseling or guidance activities.

Schools wouldn't be able to require employment contracts with guidance counselors that conflict with this policy or that would require a counselor to generally perform duties that aren't primarily related to counseling. This bill has been filed in previous sessions, without much luck. Given state and local budget climates, it is unlikely this measure will fare any better this session. However, the continued attempts help to keep the issue in the spotlight of guidance counselors being unable to do the job they have been trained (and presumably hired) to.