

Sec. 1. ESTABLISHMENT OF A STUDENT HEALTH ADVISORY COUNCIL

The Board shall establish a local student health advisory council (“SHAC”). *Tex. Educ. Code § 12.104(b)(3)(DD); 28.004.*

The purposes of the SHAC are (1) to assist Erath Excels Academy in ensuring that local community values are reflected in the school’s health education instruction and (2) to make recommendations before Erath Excels Academy changes its health education curriculum or instruction. *Tex. Educ. Code § 28.004(a), (b).*

a) *SHAC Membership*

The Board shall appoint at least five members to the SHAC. A majority of members must be persons who are parents of students enrolled in Erath Excels Academy and who are not employed by Erath Excels Academy. One of those members shall serve as chair or co-chair of the SHAC.

The Board may also appoint one or more persons from each of the following groups or a representative from a group other than a group specified:

1. Classroom teachers employed by Erath Excels Academy;
2. School counselors certified under Texas Education Code Chapter 21, Subchapter B, employed by Erath Excels Academy;
3. School administrators employed by Erath Excels Academy;
4. Erath Excels Academy students;
5. Health-care professionals licensed or certified to practice in this state, including medical or mental health professionals;
6. The business community;
7. Law enforcement;
8. Senior citizens;
9. The clergy;
10. Nonprofit health organizations; and
11. Local domestic violence programs.

Tex. Educ. Code § 28.004(d).

b) *SHAC Duties*

The duties of the SHAC include recommending:

1. The number of hours of instruction to be provided in:
 - a. Health education in kindergarten through grade eight; and
 - b. If Erath Excels Academy requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12;
2. Policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns, including obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:
 - a. Health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education
 - b. Physical education and physical activity;
 - c. Nutrition services;
 - d. Parental involvement;
 - e. Instruction on substance abuse prevention;
 - f. School health services including mental health services;
 - g. A school counseling program;
 - h. A safe and healthy school environment; and
 - i. Employee wellness;
3. Appropriate grade levels and methods of instruction for human sexuality instruction;
4. Strategies for integrating curriculum components specified in subparagraph 2 with the following elements in a coordinated school health program for the school:
 - a. School health services, including physical health services and mental health services, if provided at a campus by Erath Excels Academy or a third party under a contract with the school;
 - b. A school counseling program;
 - c. A safe and healthy school environment; and
 - d. School employee wellness;
5. If feasible, joint use agreements or strategies for collaboration between Erath Excels Academy and community organizations or agency;
6. Strategies to increase parental awareness regarding:
 - a. Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and
 - b. Available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns;
7. Appropriate grade levels and curriculum for instruction regarding the dangers of opioids, including instruction on:
 - a. Opiate addiction and abuse, including addiction to and abuse of synthetic opioids such as fentanyl; and

- b. Methods of administering an opioid antagonist, as defined by Texas Health and Safety Code § 483.101; and
- 8. Appropriate grade levels and curriculum for instruction regarding child abuse, family violence, dating violence, and sex trafficking, including likely warning signs that a child may be at risk for sex trafficking, provided that the SHAC's recommendations do not conflict with the essential knowledge and skills developed by the State Board of Education.

Tex. Educ. Code § 28.004(c).

Any joint use agreement that Erath Excels Academy and a community organization or agency enter into based on a recommendation of the SHAC must address liability for Erath Excels Academy and community organization or agency in the agreement. *Tex. Educ. Code § 28.004(n).*

The SHAC shall consider and make policy recommendations to Erath Excels Academy concerning the importance of daily recess for elementary students. The SHAC must consider research regarding unstructured and undirected play, academic and social development, and the health benefits of daily recess in making the recommendations. The SHAC shall ensure that local community values are reflected in any policy recommendation made to Erath Excels Academy. *Tex. Educ. Code § 28.004(l).*

The SHAC shall make policy recommendations to Erath Excels Academy to increase parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services. *Tex. Educ. Code § 28.004(o).*

Sec. 2. SHAC MEETINGS

The SHAC shall meet at least four times each year. For each meeting, the SHAC shall:

1. At least 72 hours before the meeting:
 - a. Post notice of the date, hour, place, and subject of the meeting on a bulletin board in the central administrative office of each Erath Excels Academy campus; and
 - b. Ensure that the required notice is posted on the school's Internet website, if Erath Excels Academy has an Internet website.
2. Prepare and maintain minutes of the meeting that state the subject and content of each deliberation and each vote, order, decision, or other action taken by the council during the meeting;
3. Make an audio or video recording of the meeting; and
4. Not later than the tenth day after the meeting, submit the minutes and audio or video recording of the meeting to Erath Excels Academy.

As soon as practicable after receipt of the minutes and audio or video recording, Erath Excels Academy shall post the minutes and audio or video recording on the school's Internet website, if Erath Excels Academy has an internet website.

Tex. Educ. Code § 28.004(d-1), (d-2).

SEC. 3. SHAC SUBCOMMITTEE

The SHAC shall establish a physical activity and fitness planning subcommittee to consider issues relating to student physical activity and fitness and make policy recommendations to increase physical activity and improve fitness among students. *Tex. Educ. Code § 28.004(l-1).*

SEC. 4. REQUIRED REPORTS

In addition to performing other duties, the SHAC shall submit to the Board, at least annually, a written report that includes:

1. Any SHAC recommendation concerning Erath Excels Academy's health education curriculum and instruction or related matters that the council has not previously submitted to the Board;
2. Any suggested modification to a SHAC recommendation previously submitted to the Board;
3. A detailed explanation of the SHAC's activities during the period between the date of the current report and the date of the last prior written report; and
4. Any recommendations made by the physical activity and fitness planning subcommittee.

Tex. Educ. Code § 28.004(m).

SEC. 5. REQUIRED NOTIFICATIONS

Erath Excels Academy shall publish in the student handbook and on the Huston Academy Internet website, if the school has a website:

1. A statement of the policies and procedures adopted to promote the physical health and mental health of students, the physical health and mental health resources available at each campus, contact information for the nearest providers of essential public health services under Chapter 121, Texas Health and Safety Code, and the contact information for the nearest local mental health authority;
2. A statement of the policies adopted to ensure that elementary school, middle school, and junior high school students engage in at least the amount and level of physical activity required by Texas Education Code § 28.002(1);
3. A statement of:

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- a. The number of times during the preceding year the SHAC has met;
- b. Whether Erath Excels Academy has adopted and enforces policies to ensure that school campuses comply with Texas Education Agency vending machines and food service guidelines for restricting student access to vending machines; and
- c. Whether Erath Excels Academy has adopted and enforces policies and procedures that prescribe penalties for the use of e-cigarettes, as defined by Texas Education Code § 38.006, and tobacco products by students and others on school campuses or at school-sponsored or school-related activities;
- d. A statement providing notice to parents that they can request in writing their child's physical fitness assessment results at the end of the school year; and
- e. For each Erath Excels Academy campus, a statement of whether the campus has a full-time nurse or full-time school counselor.

Tex. Educ. Code § 28.004(k).