

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5-25-23

Date

Honorable Dan Patrick  
President of the Senate

Honorable Dade Phelan  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB3 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

*Pat Nichols*

NICHOLS

*Ken Hancock*

HANCOCK

*W. Campbell*

CAMPBELL

*Angelo Baxton*

BAXTON

*Enrique Blanco*

On the part of the Senate  
BLANCO

*Dwight Burrows*

BURROWS

*Greg Bonnen*

BONNEN

*Carl S. Moody*

MOODY

*Ken King*

KING

*Ray T. King*

On the part of the House  
T. KING

### Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 3

A BILL TO BE ENTITLED

1 AN ACT

2 relating to measures for ensuring public school safety, including  
3 the development and implementation of purchases relating to and  
4 funding for public school safety and security requirements and the  
5 provision of safety-related resources.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 7.028(a), Education Code, is amended to  
8 read as follows:

9 (a) Except as provided by Section 21.006(k), 22.093(1),  
10 22.096, 28.006, 29.001(5), 29.010(a), 33.006(h), 37.1083, 37.1084,  
11 38.003, or 39.003, the agency may monitor compliance with  
12 requirements applicable to a process or program provided by a  
13 school district, campus, program, or school granted charters under  
14 Chapter 12, including the process described by Subchapter F,  
15 Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or  
16 I, Chapter 29, or Subchapter A, Chapter 37, only as necessary to  
17 ensure:

18 (1) compliance with federal law and regulations;

19 (2) financial accountability, including compliance  
20 with grant requirements;

21 (3) data integrity for purposes of:

22 (A) the Public Education Information Management  
23 System (PEIMS); and

24 (B) accountability under Chapters 39 and 39A; and

1 (4) qualification for funding under Chapter 48.

2 SECTION 2. Sections 7.061(b) and (c), Education Code, are  
3 amended to read as follows:

4 (b) The commissioner shall adopt or amend rules as necessary  
5 to ensure that facilities [~~building~~] standards for new and existing  
6 instructional facilities and other school district and  
7 open-enrollment charter school facilities, including construction  
8 quality, performance, operational, and other standards related to  
9 the safety and security of school facilities, provide a secure and  
10 safe environment. In adopting or amending rules under this  
11 section, the commissioner shall include the use of best practices  
12 for:

13 (1) the design and construction of new facilities; and

14 (2) the improvement, renovation, and retrofitting of  
15 existing facilities.

16 (c) Not later than September 1 of each even-numbered year,  
17 the commissioner shall review all rules adopted or amended under  
18 this section and amend the rules as necessary to ensure that  
19 facilities [~~building~~] standards for school district and  
20 open-enrollment charter school facilities continue to provide a  
21 secure and safe environment. The commissioner shall, in  
22 consultation with the Texas School Safety Center, identify and  
23 adopt any changes recommended under Section 37.221.

24 SECTION 3. Subchapter B, Chapter 8, Education Code, is  
25 amended by adding Section 8.064 to read as follows:

26 Sec. 8.064. SCHOOL SAFETY SUPPORT. (a) A regional  
27 education service center shall act as a school safety resource,

1 using materials and resources developed by the Texas School Safety  
2 Center or the agency in accordance with Chapter 37, for school  
3 districts and open-enrollment charter schools in the region served  
4 by the center. The center may assist a school district or  
5 open-enrollment charter school directly or in collaboration with  
6 the Texas School Safety Center and local law enforcement agencies,  
7 as applicable:

8 (1) in developing and implementing a multihazard  
9 emergency operations plan under Section 37.108;

10 (2) in establishing a school safety and security  
11 committee under Section 37.109;

12 (3) in conducting emergency school drills and  
13 exercises;

14 (4) in addressing deficiencies in campus security  
15 identified by a school safety review team under Section 37.1084;  
16 and

17 (5) by providing guidance on any other matter relating  
18 to school safety and security.

19 (b) A regional education service center:

20 (1) shall provide assistance as necessary to the  
21 region's school safety review team established under Section  
22 37.1084; and

23 (2) may provide assistance as necessary to school  
24 districts and open-enrollment charter schools in the region served  
25 by the center through the direct provision of positive behavioral  
26 interventions and supports to a student enrolled in one of those  
27 districts or schools to mitigate or prevent future harmful,

1 threatening, or violent behavior by the student.

2 SECTION 4. Section 12.104(b), Education Code, as amended by  
3 Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B.  
4 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular  
5 Session, 2021, is reenacted and amended to read as follows:

6 (b) An open-enrollment charter school is subject to:

7 (1) a provision of this title establishing a criminal  
8 offense;

9 (2) the provisions in Chapter 554, Government Code;  
10 and

11 (3) a prohibition, restriction, or requirement, as  
12 applicable, imposed by this title or a rule adopted under this  
13 title, relating to:

14 (A) the Public Education Information Management  
15 System (PEIMS) to the extent necessary to monitor compliance with  
16 this subchapter as determined by the commissioner;

17 (B) criminal history records under Subchapter C,  
18 Chapter 22;

19 (C) reading instruments and accelerated reading  
20 instruction programs under Section 28.006;

21 (D) accelerated instruction under Section  
22 28.0211;

23 (E) high school graduation requirements under  
24 Section 28.025;

25 (F) special education programs under Subchapter  
26 A, Chapter 29;

27 (G) bilingual education under Subchapter B,

- 1 Chapter 29;
- 2 (H) prekindergarten programs under Subchapter E  
3 or E-1, Chapter 29, except class size limits for prekindergarten  
4 classes imposed under Section 25.112, which do not apply;
- 5 (I) extracurricular activities under Section  
6 33.081;
- 7 (J) discipline management practices or behavior  
8 management techniques under Section 37.0021;
- 9 (K) health and safety under Chapter 38;
- 10 (L) the provisions of Subchapter A, Chapter 39;
- 11 (M) public school accountability and special  
12 investigations under Subchapters A, B, C, D, F, G, and J, Chapter  
13 39, and Chapter 39A;
- 14 (N) the requirement under Section 21.006 to  
15 report an educator's misconduct;
- 16 (O) intensive programs of instruction under  
17 Section 28.0213;
- 18 (P) the right of a school employee to report a  
19 crime, as provided by Section 37.148;
- 20 (Q) bullying prevention policies and procedures  
21 under Section 37.0832;
- 22 (R) the right of a school under Section 37.0052  
23 to place a student who has engaged in certain bullying behavior in a  
24 disciplinary alternative education program or to expel the student;
- 25 (S) the right under Section 37.0151 to report to  
26 local law enforcement certain conduct constituting assault or  
27 harassment;

1 (T) a parent's right to information regarding the  
2 provision of assistance for learning difficulties to the parent's  
3 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

4 (U) establishment of residency under Section  
5 25.001;

6 (V) school safety requirements under Sections  
7 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085,  
8 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and  
9 37.2071 and Subchapter J, Chapter 37;

10 (W) the early childhood literacy and mathematics  
11 proficiency plans under Section 11.185;

12 (X) the college, career, and military readiness  
13 plans under Section 11.186; and

14 (Y) [~~X~~] parental options to retain a student  
15 under Section 28.02124.

16 SECTION 5. Subchapter Z, Chapter 22, Education Code, is  
17 amended by adding Section 22.904 to read as follows:

18 Sec. 22.904. MENTAL HEALTH TRAINING. (a) Except as  
19 otherwise provided by this section, a school district shall require  
20 each district employee who regularly interacts with students  
21 enrolled at the district to complete an evidence-based mental  
22 health training program designed to provide instruction to  
23 participants regarding the recognition and support of children and  
24 youth who experience a mental health or substance use issue that may  
25 pose a threat to school safety.

26 (b) A school district may not require a district employee  
27 who has previously completed mental health training offered by a



1 local mental health authority under Section 1001.203, Health and  
2 Safety Code, to complete the training required by this section.

3 (c) From funds appropriated for the purpose, the agency  
4 shall provide an allotment to each school district to assist the  
5 district in complying with this section. The amount of an allotment  
6 provided to a school district under this subsection may not exceed  
7 the costs incurred by the district for employees' travel, training  
8 fees, and compensation for the time spent completing the training  
9 required by this section. The agency may proportionally reduce  
10 each district's allotment if the amount appropriated is  
11 insufficient to pay for all costs incurred by districts under this  
12 subsection.

13 (d) The State Board for Educator Certification shall  
14 propose rules allowing an educator to receive credit toward the  
15 educator's continuing education requirements under Section  
16 21.054(g) for the educator's participation in mental health  
17 training under this section.

18 (e) The commissioner shall adopt rules to implement this  
19 section, including rules specifying the training fees and travel  
20 expenses subject to reimbursement under Subsection (c).

21 SECTION 6. Section 25.002(a), Education Code, is amended to  
22 read as follows:

23 (a) If a parent or other person with legal control of a child  
24 under a court order enrolls the child in a public school, the parent  
25 or other person or the school district in which the child most  
26 recently attended school shall furnish to the school district:

27 (1) the child's birth certificate or another document

1 suitable as proof of the child's identity;

2 (2) a copy of the child's records from the school the  
3 child most recently attended if the child has been previously  
4 enrolled in a school in this state or another state, including for a  
5 child who most recently attended a public school in this state, a  
6 copy of the child's disciplinary record and any threat assessment  
7 involving the child's behavior conducted under Section 37.115; and

8 (3) a record showing that the child has the  
9 immunizations as required under Section 38.001, in the case of a  
10 child required under that section to be immunized, proof as  
11 required by that section showing that the child is not required to  
12 be immunized, or proof that the child is entitled to provisional  
13 admission under that section and under rules adopted under that  
14 section.

15 SECTION 7. Section 25.036, Education Code, is amended by  
16 adding Subsection (c) to read as follows:

17 (c) In the case of a transfer under this section, a child's  
18 school district of residence shall provide the receiving district  
19 with the child's disciplinary record and any threat assessment  
20 involving the child's behavior conducted under Section 37.115.

21 SECTION 8. Section 37.081, Education Code, is amended by  
22 amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3),  
23 and (a-4) to read as follows:

24 (a) The board of trustees of any school district may:

25 (1) employ or contract with security personnel;

26 (2) [ ] enter into a memorandum of understanding with  
27 a local law enforcement agency or a county or municipality that is

1 the employing political subdivision of commissioned peace officers  
2 for the provision of school resource officers;

3 (3) for the purposes of providing security personnel,  
4 contract with a security services contractor licensed under Chapter  
5 1702, Occupations Code, for the provision of a commissioned  
6 security officer, as defined by Section 1702.002, Occupations Code,  
7 who has completed the Level II or III training course required by  
8 the Department of Public Safety; [r] and

9 (4) commission peace officers to carry out this  
10 subchapter.

11 (a-1) [If a board of trustees authorizes a person employed  
12 as security personnel to carry a weapon, the person must be a  
13 commissioned peace officer.] The jurisdiction of a peace officer,  
14 a school resource officer, or security personnel under this section  
15 shall be determined by the board of trustees and may include all  
16 territory in the boundaries of the school district and all property  
17 outside the boundaries of the district that is owned, leased, or  
18 rented by or otherwise under the control of the school district and  
19 the board of trustees that employ or contract with, as applicable,  
20 the peace officer or security personnel or that enter into a  
21 memorandum of understanding for the provision of a school resource  
22 officer.

23 (a-2) A memorandum of understanding for the provision of  
24 school resource officers entered into under Subsection (a) must:

25 (1) be in the form of an interlocal contract under  
26 Chapter 791, Government Code; and

27 (2) use a proportionate cost allocation methodology to

1 address any costs or fees incurred by the school district or the  
2 local law enforcement agency, county, or municipality, as  
3 applicable.

4 (a-3) The cost allocation methodology used under Subsection  
5 (a-2)(2) may allow a local law enforcement agency, county, or  
6 municipality, as applicable, to recoup direct costs incurred as a  
7 result of the contract but may not allow the agency, county, or  
8 municipality to profit under the contract.

9 (a-4) A school district, local law enforcement agency,  
10 county, or municipality that enters into a memorandum of  
11 understanding under Subsection (a) may seek funding from federal,  
12 state, and private sources to support the cost of providing school  
13 resource officers under this section.

14 SECTION 9. Section 37.0812(a), Education Code, is amended  
15 to read as follows:

16 (a) A school district peace officer or school resource  
17 officer shall complete an active shooter response training program  
18 approved by the Texas Commission on Law Enforcement at least once in  
19 each four-year period.

20 SECTION 10. Subchapter C, Chapter 37, Education Code, is  
21 amended by adding Section 37.0814 to read as follows:

22 Sec. 37.0814. ARMED SECURITY OFFICER REQUIRED. (a) The  
23 board of trustees of each school district shall determine the  
24 appropriate number of armed security officers for each district  
25 campus. The board must ensure that at least one armed security  
26 officer is present during regular school hours at each district  
27 campus.

1 (b) A security officer described by Subsection (a) must be:

2 (1) a school district peace officer;

3 (2) a school resource officer; or

4 (3) a commissioned peace officer employed as security  
5 personnel under Section 37.081.

6 (c) If the board of trustees of a school district is unable  
7 to comply with this section, the board may claim a good cause  
8 exception from the requirement to comply with this section if the  
9 district's noncompliance is due to the availability of:

10 (1) funding; or

11 (2) personnel who qualify to serve as a security  
12 officer described by Subsection (a).

13 (d) The board of trustees of a school district that claims a  
14 good cause exception under Subsection (c) must develop an  
15 alternative standard with which the district is able to comply,  
16 which may include providing a person to act as a security officer  
17 who is:

18 (1) a school marshal; or

19 (2) a school district employee or a person with whom  
20 the district contracts who:

21 (A) has completed school safety training  
22 provided by a qualified handgun instructor certified in school  
23 safety under Section 411.1901, Government Code; and

24 (B) carries a handgun on school premises in  
25 accordance with written regulations or written authorization of the  
26 district under Section 46.03(a)(1)(A), Penal Code.

27 (e) The board of trustees of a school district must develop

1 and maintain documentation of the district's implementation of and  
2 compliance with this section, including documentation related to a  
3 good cause exception claimed under Subsection (c), and shall, if  
4 requested by the agency, provide that documentation to the agency  
5 in the manner prescribed by the agency.

6 SECTION 11. Subchapter C, Chapter 37, Education Code, is  
7 amended by adding Section 37.089 to read as follows:

8 Sec. 37.089. ROLE OF PERSONS CARRYING A FIREARM ON SCHOOL  
9 GROUND. (a) Subject to Subsection (b), a person permitted to carry  
10 a firearm on the campus of a school district may not perform the  
11 routine law enforcement duties of a peace officer, including making  
12 arrests, unless the duty is performed in response to an emergency  
13 that poses a threat of death or serious bodily injury to a student,  
14 school district employee, or other individual at the district  
15 campus.

16 (b) Subsection (a) does not apply to a commissioned peace  
17 officer who is assigned law enforcement duties that are included in  
18 campus and district documents describing the role of peace officers  
19 in the district as required by Section 37.081(d).

20 SECTION 12. Section 37.108, Education Code, is amended by  
21 amending Subsections (a), (b), and (f) and adding Subsection (h) to  
22 read as follows:

23 (a) Each school district or public junior college district  
24 shall adopt and implement a multihazard emergency operations plan  
25 for use in the district's facilities. The plan must address  
26 prevention, mitigation, preparedness, response, and recovery as  
27 defined by the Texas School Safety Center in conjunction with the

1 governor's office of homeland security, ~~and~~ the commissioner of  
2 education, and the ~~or~~ commissioner of higher education~~, as~~  
3 ~~applicable~~]. The plan must provide for:

4 (1) training in responding to an emergency for  
5 district employees, including substitute teachers;

6 (2) measures to ensure district employees, including  
7 substitute teachers, have classroom access to a telephone,  
8 including a cellular telephone, or another electronic  
9 communication device allowing for immediate contact with district  
10 emergency services or emergency services agencies, law enforcement  
11 agencies, health departments, and fire departments;

12 (3) measures to ensure district communications  
13 technology and infrastructure are adequate to allow for  
14 communication during an emergency;

15 (4) if the plan applies to a school district,  
16 mandatory school drills and exercises, including drills required  
17 under Section 37.114, to prepare district students and employees  
18 for responding to an emergency;

19 (5) measures to ensure coordination with the  
20 Department of State Health Services and local emergency management  
21 agencies, law enforcement, health departments, and fire  
22 departments in the event of an emergency; ~~and~~

23 (6) the implementation of a safety and security audit  
24 as required by Subsection (b); and

25 (7) any other requirements established by the Texas  
26 School Safety Center in consultation with the agency and relevant  
27 local law enforcement agencies.

1           (b) At least once every three years, each school district or  
2 public junior college district shall conduct a safety and security  
3 audit of the district's facilities. A [To the extent possible, a]  
4 district, or a person included in the registry established by the  
5 Texas School Safety Center under Section 37.2091 who is engaged by  
6 the district to conduct a safety and security audit, shall follow  
7 safety and security audit procedures developed by the Texas School  
8 Safety Center in coordination with the commissioner of education or  
9 commissioner of higher education, as applicable [or a person  
10 included in the registry established by the Texas School Safety  
11 Center under Section 37.2091].

12           (f) A school district shall include in its multihazard  
13 emergency operations plan:

14                 (1) a chain of command that designates the individual  
15 responsible for making final decisions during a disaster or  
16 emergency situation and identifies other individuals responsible  
17 for making those decisions if the designated person is unavailable;

18                 (2) provisions that address physical and  
19 psychological safety for responding to a natural disaster, active  
20 shooter, and any other dangerous scenario identified for purposes  
21 of this section by the agency or the Texas School Safety Center;

22                 (3) provisions for ensuring the safety of students in  
23 portable buildings;

24                 (4) provisions for ensuring that students and district  
25 personnel with disabilities are provided equal access to safety  
26 during a disaster or emergency situation;

27                 (5) provisions for providing immediate notification



1 to parents, guardians, and other persons standing in parental  
2 relation in circumstances involving a significant threat to the  
3 health or safety of students, including identification of the  
4 individual with responsibility for overseeing the notification;

5 (6) provisions for supporting the psychological  
6 safety of students, district personnel, and the community during  
7 the response and recovery phase following a disaster or emergency  
8 situation that:

9 (A) are aligned with best practice-based  
10 programs and research-based practices recommended under Section  
11 38.351;

12 (B) include strategies for ensuring any required  
13 professional development training for suicide prevention and  
14 grief-informed and trauma-informed care is provided to appropriate  
15 school personnel;

16 (C) include training on integrating  
17 psychological safety and suicide prevention strategies into the  
18 district's plan, such as psychological first aid for schools  
19 training, from an approved list of recommended training established  
20 by the commissioner and Texas School Safety Center for:

21 (i) members of the district's school safety  
22 and security committee under Section 37.109;

23 (ii) district school counselors and mental  
24 health professionals; and

25 (iii) educators and other district  
26 personnel as determined by the district;

27 (D) include strategies and procedures for

1 integrating and supporting physical and psychological safety that  
2 align with the provisions described by Subdivision (2); and

3 (E) implement trauma-informed policies;

4 (7) a policy for providing a substitute teacher access  
5 to school campus buildings and materials necessary for the  
6 substitute teacher to carry out the duties of a district employee  
7 during an emergency or a mandatory emergency drill; ~~and~~

8 (8) the name of each individual on the district's  
9 school safety and security committee established under Section  
10 37.109 and the date of each committee meeting during the preceding  
11 year; and

12 (9) certification that the district is in compliance  
13 with Section 37.117.

14 (h) The Texas School Safety Center and the agency shall  
15 provide school safety-related data collected by the center or  
16 agency to each other on request.

17 SECTION 13. Section 37.1081(a), Education Code, is amended  
18 to read as follows:

19 (a) If the board of trustees of a school district receives  
20 notice of noncompliance under Section 37.207(e) or 37.2071(d) or  
21 (g) [37.2071(g)], the board shall hold a public hearing to notify  
22 the public of:

23 (1) the district's failure to:

24 (A) submit or correct deficiencies in a  
25 multihazard emergency operations plan; or

26 (B) report the results of a safety and security  
27 audit to the Texas School Safety Center as required by law;

1           (2) the dates during which the district has not been in  
2 compliance; and

3           (3) the names of each member of the board of trustees  
4 and the superintendent serving in that capacity during the dates  
5 the district was not in compliance.

6           SECTION 14. Subchapter D, Chapter 37, Education Code, is  
7 amended by adding Sections 37.1083, 37.1084, 37.1085, 37.1086, and  
8 37.1131 to read as follows:

9           Sec. 37.1083. AGENCY MONITORING OF SCHOOL DISTRICT SAFETY  
10 AND SECURITY REQUIREMENTS. (a) The agency shall monitor the  
11 implementation and operation of requirements related to school  
12 district safety and security, including school district:

- 13                   (1) multihazard emergency operations plans; and  
14                   (2) safety and security audits.

15           (b) The agency shall establish an office of school safety  
16 and security within the agency that consists of individuals with  
17 substantial expertise and experience in school or law enforcement  
18 safety and security operations and oversight at the local, state,  
19 or federal level to coordinate the agency's monitoring of school  
20 district safety and security requirements under this section. The  
21 director of the office is appointed by the governor and confirmed by  
22 the senate and must report directly to the commissioner.

23           (c) The agency shall, in coordination with the Texas School  
24 Safety Center and relevant local law enforcement agencies, provide  
25 technical assistance to school districts to support the  
26 implementation and operation of safety and security requirements.

27           (d) As part of the technical assistance provided under

1 Subsection (c), the agency shall conduct a detailed vulnerability  
2 assessment of each school district on a random basis determined by  
3 the agency once every four years. The assessment must:

4 (1) assess facility access controls, emergency  
5 operations procedures, and other school safety requirements; and

6 (2) to the greatest extent practicable, coincide with  
7 the safety and security audit required under Section 37.108.

8 (e) The agency shall use a rubric developed by the office of  
9 school safety and security in collaboration with the Texas School  
10 Safety Center to conduct a vulnerability assessment of a school  
11 district under Subsection (d).

12 (f) On completion of a vulnerability assessment under  
13 Subsection (d), the agency shall provide to the superintendent and  
14 school safety and security committee established under Section  
15 37.109 for the applicable school district a report on the results of  
16 the assessment that includes recommendations and required  
17 corrective actions to address any deficiencies in campus security  
18 identified by the agency.

19 (g) The agency may engage a third party as necessary to  
20 enable the agency to monitor the implementation and operation of  
21 school district safety and security requirements under this  
22 section.

23 (h) The agency may require a school district to submit  
24 information necessary for the agency to monitor the implementation  
25 and operation of school district safety and security requirements  
26 under this section, including:

27 (1) notice of an event requiring a district's

1 emergency response including the discovery of a firearm on a  
2 campus; and

3 (2) information regarding the district's response and  
4 use of emergency operations procedures during an event described by  
5 Subdivision (1).

6 (i) The agency may review school district records as  
7 necessary to ensure compliance with this subchapter and Subchapter  
8 G.

9 (j) Any document or information collected, identified,  
10 developed, or produced relating to the monitoring of school  
11 district safety and security requirements under this section is  
12 confidential under Sections 418.177 and 418.181, Government Code,  
13 and not subject to disclosure under Chapter 552, Government Code.

14 (k) The commissioner may adopt rules as necessary to  
15 administer this section.

16 Sec. 37.1084. REGIONAL SCHOOL SAFETY REVIEW TEAMS. (a) In  
17 this section:

18 (1) "Office" means the office of school safety and  
19 security established under Section 37.1083.

20 (2) "Team" means a school safety review team  
21 established under this section.

22 (b) The office shall establish a school safety review team  
23 in each region served by a regional education service center. A  
24 team shall annually conduct on-site general intruder detection  
25 audits of school district campuses in the team's region. In  
26 conducting an intruder detection audit, a team must:

27 (1) use a rubric developed by the office in

1 consultation with the Texas School Safety Center;

2 (2) not later than the seventh day before the date of a  
3 scheduled audit, notify the superintendent of the school district  
4 in which the campus being audited is located; and

5 (3) on completion of the audit, provide to the  
6 superintendent and school safety and security committee  
7 established under Section 37.109 for the school district in which  
8 the campus is located a report on the results of the audit that  
9 includes recommendations and required corrective actions to  
10 address any deficiencies in campus security identified by the team.

11 (c) A regional education service center shall provide  
12 support as necessary to assist the region's team in conducting  
13 intruder detection audits under this section.

14 (d) A report produced by a team under this section is  
15 confidential and not subject to disclosure under Chapter 552,  
16 Government Code.

17 Sec. 37.1085. ASSIGNMENT OF CONSERVATOR FOR NONCOMPLIANCE  
18 WITH SCHOOL SAFETY AND SECURITY REQUIREMENTS. (a) Except as  
19 provided by Subsection (c), the commissioner may assign a  
20 conservator under Chapter 39A if a school district fails to:

21 (1) submit to any required monitoring, assessment, or  
22 audit under Section 37.1083 or 37.1084;

23 (2) comply with applicable safety and security  
24 requirements; or

25 (3) address in a reasonable time period, as determined  
26 by commissioner rule, issues raised by the agency's monitoring,  
27 assessment, or audit of the district under Section 37.1083 or

1 37.1084.

2 (b) A conservator assigned to a district under this section  
3 may exercise the powers and duties of a conservator under Section  
4 39A.003 only to correct a failure identified under Subsection (a).

5 (c) This section does not apply to a school district's  
6 failure to comply with Section 37.0814 or a good cause exception  
7 claimed under that section.

8 Sec. 37.1086. GUIDELINES FOR MULTHAZARD EMERGENCY  
9 OPERATIONS PLAN PROVISIONS FOR INDIVIDUALS WITH DISABILITIES OR  
10 IMPAIRMENTS. (a) The agency shall establish guidelines for the  
11 provisions in a school district's multihazard emergency operations  
12 plan under Section 37.108(f)(4) to ensure the safety of students  
13 and district personnel with disabilities or impairments during a  
14 disaster or emergency situation, in consultation with:

- 15 (1) the Texas School Safety Center;  
16 (2) regional education service centers;  
17 (3) public school educators who work with students  
18 with disabilities or impairments; and  
19 (4) advocacy groups representing individuals with  
20 disabilities or impairments.

21 (b) A school district must follow the guidelines  
22 established by the agency under Subsection (a) in adopting and  
23 implementing the district's multihazard emergency operations plan  
24 under Section 37.108.

25 Sec. 37.1131. NOTIFICATION REGARDING VIOLENT ACTIVITY. (a)  
26 The agency shall develop model standards for providing notice  
27 regarding violent activity that has occurred or is being

1 investigated at a school district campus or other district facility  
2 or at a district-sponsored activity to parents, guardians, and  
3 other persons standing in parental relation to students who are  
4 assigned to the campus, regularly use the facility, or are  
5 attending the activity, as applicable. The standards must:

6 (1) include electronic notification through text  
7 messaging and e-mail;

8 (2) provide an option for real-time notification; and

9 (3) protect student privacy.

10 (b) Each school district shall adopt a policy for providing  
11 notice described by Subsection (a) in a manner that meets the  
12 standards adopted under that subsection.

13 SECTION 15. Section 37.115, Education Code, is amended by  
14 amending Subsection (c) and adding Subsection (j-1) to read as  
15 follows:

16 (c) The board of trustees of each school district shall  
17 establish a threat assessment and safe and supportive school team  
18 to serve at each campus of the district and shall adopt policies and  
19 procedures for the teams. The team is responsible for developing  
20 and implementing the safe and supportive school program under  
21 Subsection (b) at the district campus served by the team. The  
22 policies and procedures adopted under this section must:

23 (1) be consistent with the model policies and  
24 procedures developed by the Texas School Safety Center;

25 (2) require each team to complete training provided by  
26 the Texas School Safety Center or a regional education service  
27 center regarding evidence-based threat assessment programs; [~~and~~]



1           (3) require each team established under this section  
2 to report the information required under Subsection (k) regarding  
3 the team's activities to the agency; and

4           (4) require each district campus to establish a clear  
5 procedure for a student to report concerning behavior exhibited by  
6 another student for assessment by the team or other appropriate  
7 school employee.

8           (j-1) Materials and information provided to or produced by a  
9 team during a threat assessment of a student under this section must  
10 be maintained in the student's school record until the student's  
11 24th birthday.

12           SECTION 16. Subchapter D, Chapter 37, Education Code, is  
13 amended by adding Section 37.117 to read as follows:

14           Sec. 37.117. EMERGENCY RESPONSE MAP AND WALK-THROUGH. Each  
15 school district and open-enrollment charter school shall provide to  
16 the Department of Public Safety and all appropriate local law  
17 enforcement agencies and emergency first responders:

18           (1) an accurate map of each district campus and school  
19 building that is developed and documented in accordance with the  
20 standards described by Section 37.351 related to developing site  
21 and floor plans, access control, and exterior door numbering; and

22           (2) an opportunity to conduct a walk-through of each  
23 district campus and school building using the map described by  
24 Subdivision (1).

25           SECTION 17. Sections 37.2071(b), (c), (d), (f), (g), and  
26 (h), Education Code, are amended to read as follows:

27           (b) A school district or public junior college district

1 shall submit its multihazard emergency operations plan to the  
2 center:

3 (1) not later than the 30th day after the date ~~on~~  
4 ~~request of~~ the center requests the submission; and

5 (2) in accordance with the center's review cycle  
6 developed under Subsection (a).

7 (c) The center shall review each district's multihazard  
8 emergency operations plan submitted under Subsection (b) and:

9 (1) verify the plan meets the requirements of Section  
10 37.108; or

11 (2) provide the district with written notice:

12 (A) describing the plan's deficiencies; ~~and~~

13 (B) including specific recommendations to  
14 correct the deficiencies; and

15 (C) stating that the district must correct the  
16 deficiencies in its plan and resubmit the revised plan to the  
17 center.

18 (d) If a district fails to submit its multihazard emergency  
19 operations plan to the center for review following a notification  
20 by the center that the district has failed to submit the district's  
21 plan, the center shall provide the district with written notice  
22 stating that the district must hold a public hearing under Section  
23 37.1081 ~~+~~

24 ~~[(1) has failed to submit a plan, and~~

25 ~~[(2) must submit a plan to the center for review and~~  
26 ~~verification].~~

27 (f) If one month ~~[three months]~~ after the date of initial

1 notification of a plan's deficiencies under Subsection (c)(2) [~~or~~  
2 ~~failure to submit a plan under Subsection (d)] a district has not  
3 corrected the plan deficiencies [~~or has failed to submit a plan~~],  
4 the center shall provide written notice to the district and agency  
5 that the district has not complied with the requirements of this  
6 section and must comply immediately.~~

7 (g) If a school district still has not corrected the plan  
8 deficiencies three [~~or has failed to submit a plan six~~] months after  
9 the date of initial notification under Subsection (c)(2) [~~or (d)~~],  
10 the center shall provide written notice to the school district  
11 stating that the district must hold a public hearing under Section  
12 37.1081.

13 (h) If a school district has failed to submit a plan, the  
14 notice required by Subsection (d) [~~(g)~~] must state that the  
15 commissioner is authorized to appoint a conservator under Section  
16 37.1082.

17 SECTION 18. Section 37.2091, Education Code, is amended by  
18 adding Subsection (b-1) to read as follows:

19 (b-1) A school district must confirm that a person is  
20 included in the registry established under Subsection (b) before  
21 the district may engage the person to provide school safety or  
22 security consulting services to the district.

23 SECTION 19. Subchapter G, Chapter 37, Education Code, is  
24 amended by adding Sections 37.221 and 37.222 to read as follows:

25 Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) At least  
26 once every five years, the center shall review the facilities  
27 standards for instructional facilities adopted under Section 7.061

1 and make recommendations to the commissioner regarding any changes  
2 necessary to ensure that the facilities standards:

3 (1) reflect best practices for improving school safety  
4 through the design and construction of school facilities; and

5 (2) are consistent with standards adopted under  
6 Chapter 469, Government Code, regarding the elimination of  
7 architectural barriers.

8 (b) The center and commissioner may consult with  
9 stakeholders with relevant expertise regarding whether any updates  
10 to requirements for the use of funds granted or allocated to school  
11 districts for purposes of improving the safety and security of  
12 school facilities are necessary to align with best practices.

13 (c) In updating facilities standards, the commissioner  
14 shall:

15 (1) incorporate input from the center and stakeholders  
16 with relevant expertise regarding best practices for standards  
17 applicable to the design and construction of school facilities; and

18 (2) ensure the standards are updated as necessary to  
19 ensure compliance with any changes to state law and local building  
20 codes.

21 Sec. 37.222. RESOURCES ON SAFE FIREARM STORAGE. (a) The  
22 center, in collaboration with the Department of Public Safety,  
23 shall provide to each school district and open-enrollment charter  
24 school information and other resources regarding the safe storage  
25 of firearms for distribution by the district or school under  
26 Subsection (b), including information on:

27 (1) the offense under Section 46.13, Penal Code; and

1           (2) ways in which parents and guardians can  
2 effectively prevent children from accessing firearms.

3           (b) Each school district and open-enrollment charter school  
4 shall provide the information and other resources described under  
5 Subsection (a) to the parent or guardian of each student enrolled in  
6 the district or school.

7           SECTION 20. Chapter 37, Education Code, is amended by  
8 adding Subchapter J to read as follows:

9           SUBCHAPTER J. SAFETY AND SECURITY REQUIREMENTS FOR FACILITIES

10           Sec. 37.351. FACILITIES STANDARDS COMPLIANCE. (a) A school  
11 district must ensure that each district facility complies with each  
12 school facilities standard, including performance standards and  
13 operational requirements, related to safety and security adopted  
14 under Section 7.061 or provided by other law or agency rule.

15           (b) A school district must develop and maintain  
16 documentation of the district's implementation of and compliance  
17 with school safety and security facilities standards for each  
18 district facility, including a good cause exception claimed under  
19 Section 37.353, and shall, if requested by the agency, provide that  
20 documentation to the agency in the manner prescribed by the agency.

21           Sec. 37.352. PURCHASING REQUIREMENTS. A school district  
22 shall comply with all applicable state laws and rules relating to  
23 procurement for district purchases relating to achieving  
24 compliance with the facilities standards adopted under Section  
25 7.061 or provided by other law or agency rule.

26           Sec. 37.353. GOOD CAUSE EXCEPTION. (a) If a school  
27 district is unable to bring a district facility into compliance

1 with a school facilities standard related to safety and security,  
2 the district may claim a good cause exception from the requirement  
3 to comply with that standard, including for a reason related to:

4 (1) the age, physical design, or location of the  
5 noncompliant facility;

6 (2) the projected remaining use or functional life of  
7 the noncompliant facility;

8 (3) availability of funding; or

9 (4) supply chain obstacles.

10 (b) A school district that claims a good cause exception  
11 under Subsection (a) must develop an alternative performance  
12 standard with which the district is able to comply.

13 Sec. 37.354. FUNDING FOR FACILITIES STANDARDS COMPLIANCE.

14 (a) The commissioner may authorize a school district to use money  
15 provided to the district for the purpose of improving school safety  
16 and security, including the school safety allotment under Section  
17 48.115 or any other funding or grant money available to the district  
18 for that purpose, to comply with the requirements of this  
19 subchapter.

20 (a-1) Funds appropriated in S.B. 30, Acts of the 88th  
21 Legislature, Regular Session, 2023, or similar legislation, for the  
22 purpose of improving school safety and security, may be used as  
23 described by Subsection (a). This subsection expires September 1,  
24 2026.

25 (b) The commissioner may adopt rules regarding safety and  
26 security requirements with which a school district must comply to  
27 receive funding or grant money available for the purpose of

1 improving school safety and security.

2 Sec. 37.355. CONFIDENTIALITY. (a) Any document or  
3 information collected, identified, developed, or produced relating  
4 to a safety or security requirement under this subchapter is  
5 confidential under Sections 418.177 and 418.181, Government Code,  
6 and not subject to disclosure under Chapter 552, Government Code.

7 (b) The commissioner may adopt rules as necessary to  
8 administer this section.

9 SECTION 21. Section 38.022, Education Code, is amended by  
10 amending Subsection (a) and adding Subsection (a-1) to read as  
11 follows:

12 (a) A school district may require a person who enters  
13 property under the district's control [~~a district campus~~] to  
14 display the person's driver's license, [~~or~~] another form of  
15 identification containing the person's photograph issued by a  
16 governmental entity, or, if applicable, the person's district  
17 employee or student identification card. The person must provide  
18 the identification on request.

19 (a-1) A school district may eject a person from district  
20 property if:

21 (1) the person refuses or fails to provide on request  
22 identification described by Subsection (a); and

23 (2) it reasonably appears that the person has no  
24 legitimate reason to be on district property.

25 SECTION 22. Subchapter E, Chapter 45, Education Code, is  
26 amended by adding Section 45.1011 to read as follows:

27 Sec. 45.1011. USE OF BOND PROCEEDS FOR SCHOOL SAFETY

1 COMPLIANCE. (a) The proceeds of bonds issued by a school district  
 2 for the construction and equipment of school buildings in the  
 3 district and the purchase of the necessary sites for school  
 4 buildings may be used to pay the costs associated with complying  
 5 with school safety and security requirements for school facilities  
 6 in accordance with Section 37.351.

7 (b) This subsection applies to a school district that has  
 8 been determined by the agency, through the agency's monitoring of  
 9 safety and security requirements under Section 37.1083, to not be  
 10 in compliance with those requirements. Notwithstanding any other  
 11 law, a school district to which this subsection applies must use the  
 12 proceeds of bonds described by Subsection (a) to achieve compliance  
 13 with applicable safety and security requirements in accordance with  
 14 Section 37.351 before the district may use those proceeds for any  
 15 other authorized purpose.

16 SECTION 23. Section 48.115, Education Code, is amended by  
 17 amending Subsections (a) and (b) and adding Subsections (a-1),  
 18 (b-1), (b-2), (c-1), and (e) to read as follows:

19 (a) Except as provided by Subsection (a-1), [~~From funds~~  
 20 ~~appropriated for that purpose, the commissioner shall provide to~~] a  
 21 school district is entitled to an annual allotment equal to the sum  
 22 of the following amounts or a greater [~~in the~~] amount provided by  
 23 appropriation:

24 (1) \$10 for each student in average daily attendance,  
 25 plus \$1 for each student in average daily attendance per every \$50  
 26 by which the district's maximum basic allotment under Section  
 27 48.051 exceeds \$6,160, prorated as necessary; and



1           (2) \$15,000 per campus.

2           (a-1) A school district campus that provides only virtual  
3 instruction or utilizes only facilities not subject to the  
4 district's control is not included for purposes of determining a  
5 school district's allotment under Subsection (a).

6           (b) Funds allocated under this section must be used to  
7 improve school safety and security, including costs associated  
8 with:

9           (1) securing school facilities in accordance with the  
10 requirements of Section 37.351, including:

11                   (A) improvements to school infrastructure;

12                   (B) the use or installation of perimeter security  
13 fencing conducive to a public school learning environment or  
14 physical barriers, which may not include razor wire; ~~and~~

15                   (C) exterior door and window safety and security  
16 upgrades, including exterior door numbering and locking systems and  
17 security film that provides resistance to a forced entry; and

18                   (D) the purchase and maintenance of:

19                           (i) security cameras and, if the district  
20 has already installed security cameras, ~~or~~ other security  
21 equipment, including video surveillance as provided by Section  
22 29.022; and

23                           (ii) technology, including communications  
24 systems or devices, such as silent panic alert devices, two-way  
25 radios, or wireless Internet booster equipment, that facilitates  
26 communication and information sharing between students, school  
27 personnel, and first responders in an emergency;

1 (2) providing security for the district, including:

2 (A) employing school district peace officers,  
3 private security officers, and school marshals; and

4 (B) collaborating with local law enforcement  
5 agencies, such as entering into a memorandum of understanding for  
6 the assignment of school resource officers to schools in the  
7 district;

8 (3) school safety and security measures [~~training and~~  
9 ~~planning~~], including:

10 (A) active shooter and emergency response  
11 training;

12 (B) prevention and treatment programs relating  
13 to addressing adverse childhood experiences; and

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

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

20 (ii) providing mental health personnel and  
21 support;

22 (iii) providing behavioral health  
23 services;

24 (iv) establishing threat reporting  
25 systems; and

26 (v) developing and implementing programs  
27 focused on restorative justice practices, culturally relevant

1 instruction, and providing mental health support; ~~and~~

2 (4) providing programs related to suicide prevention,  
3 intervention, and postvention; and

4 (5) employing a school safety director and other  
5 personnel to manage and monitor school safety initiatives and the  
6 implementation of school safety requirements for the district.

7 (b-1) The agency may designate certain technologies that a  
8 school district, in using funds allocated under this section, may  
9 purchase only from a vendor approved by the agency.

10 (b-2) If the agency, in coordination with the Texas School  
11 Safety Center, determines that entering into a statewide contract  
12 with a vendor for the provision of a technology designated under  
13 Subsection (b-1) would result in cost savings to school districts,  
14 the agency may, after receiving approval from the Legislative  
15 Budget Board and office of the governor, enter into a contract with  
16 a vendor to provide the technology to each district that uses funds  
17 allocated under this section to purchase that technology.

18 (c-1) The agency, or if designated by the agency, the Texas  
19 School Safety Center, shall establish and publish a directory of  
20 approved vendors of school safety technology and equipment a school  
21 district may select from when using funds allocated under this  
22 section. If a school district uses funds allocated under this  
23 section to purchase technology or equipment from a vendor that is  
24 not included in the directory, the district must solicit bids from  
25 at least three vendors before completing the purchase.

26 (e) Notwithstanding any other law, a school district may use  
27 funds allocated under this section to provide training to a person

1 authorized by the district to carry a firearm on a district campus.

2 SECTION 24. Subchapter Z, Chapter 411, Government Code, is  
3 amended by adding Section 411.951 to read as follows:

4 Sec. 411.951. CONFIDENTIALITY OF IWATCHTEXAS COMMUNITY  
5 REPORTING SYSTEM REPORTS. All suspicious activity reports and  
6 school safety reports included in the iWatchTexas community  
7 reporting system operated by the department are confidential and  
8 not subject to disclosure under Chapter 552.

9 SECTION 25. Subchapter B, Chapter 85, Local Government  
10 Code, is amended by adding Section 85.024 to read as follows:

11 Sec. 85.024. SCHOOL SAFETY MEETINGS. (a) The sheriff of a  
12 county with a total population of less than 350,000 in which a  
13 public school is located shall call and conduct semiannual meetings  
14 to discuss:

15 (1) school safety;

16 (2) coordinated law enforcement response to school  
17 violence incidents;

18 (3) law enforcement agency capabilities;

19 (4) available resources;

20 (5) emergency radio interoperability;

21 (6) chain of command planning; and

22 (7) other related subjects proposed by a person in  
23 attendance at the meeting.

24 (b) The sheriff of a county to which this section applies in  
25 which more than one public school is located is only required to  
26 hold one semiannual meeting described by Subsection (a). This  
27 subsection does not require public schools located within the same

1 county to adopt the same school safety policies.

2 (c) The following persons shall attend a meeting called  
3 under Subsection (a):

4 (1) the sheriff or the sheriff's designee;

5 (2) the police chief of a municipal police department  
6 in the county or the police chief's designee;

7 (3) each elected constable in the county or the  
8 constable's designees;

9 (4) each police chief of a school district's police  
10 department or school district security coordinator from each school  
11 district located in the county;

12 (5) a representative of the Department of Public  
13 Safety assigned to the county;

14 (6) a representative of each other state agency with  
15 commissioned peace officers assigned to the county;

16 (7) a person appointed to a command staff position at  
17 an emergency medical service in the county;

18 (8) a person appointed to a command staff position at a  
19 municipal emergency medical service in the county;

20 (9) a person appointed to a command staff position at a  
21 fire department in the county;

22 (10) the superintendent or the superintendent's  
23 designee of each school district located in the county;

24 (11) the person who serves the function of  
25 superintendent, or that person's designee, in each open-enrollment  
26 charter school located in the county; and

27 (12) any other person the sheriff considers

1 appropriate.

2 (d) The sheriff shall invite any federal law enforcement  
3 official serving in the county to attend the meeting.

4 (e) As soon as practicable after a meeting under Subsection  
5 (a), the sheriff shall submit a report to the Texas School Safety  
6 Center identifying the attendees of the meeting and the subjects  
7 discussed. The Texas School Safety Center shall maintain the report  
8 and make it publicly available on the center's Internet website.  
9 The center may not make publicly available and shall redact any  
10 parts of a report that the center determines may expose a safety  
11 vulnerability of a school district facility.

12 SECTION 26. (a) As soon as practicable after the effective  
13 date of this Act, the Texas Education Agency shall establish the  
14 office of school safety and security and the governor shall appoint  
15 the director of that office as required by Section 37.1083,  
16 Education Code, as added by this Act.

17 (b) As soon as practicable after the office of school safety  
18 and security has been established, the office shall establish  
19 school safety review teams in each region served by a regional  
20 education service center as required by Section 37.1084, Education  
21 Code, as added by this Act.

22 SECTION 27. Section 45.1011, Education Code, as added by  
23 this Act, applies only to a bond authorized to be issued at an  
24 election held on or after the effective date of this Act.

25 SECTION 28. To the extent of any conflict, this Act prevails  
26 over another Act of the 88th Legislature, Regular Session, 2023,  
27 relating to nonsubstantive additions to and corrections in enacted

1 codes.

2 SECTION 29. (a) Section 7.028 and Chapter 37, Education  
3 Code, as amended by this Act, apply beginning with the 2023-2024  
4 school year.

5 (b) Notwithstanding Section 22.904, Education Code, as  
6 added by this Act, a school district must require the district's  
7 employees to complete the mental health training required under  
8 that section as follows:

9 (1) at least 25 percent of the applicable district  
10 employees before the beginning of the 2025-2026 school year;

11 (2) at least 50 percent of the applicable district  
12 employees before the beginning of the 2026-2027 school year;

13 (3) at least 75 percent of the applicable district  
14 employees before the beginning of the 2027-2028 school year; and

15 (4) 100 percent of the applicable district employees  
16 before the beginning of the 2028-2029 school year.

17 SECTION 30. (a) Except as provided by Subsection (b) of  
18 this section, this Act takes effect immediately if it receives a  
19 vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2023.

23 (b) Section 48.115, Education Code, as amended by this Act,  
24 takes effect September 1, 2023.

**House Bill 3**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 7.028(a), Education Code, is amended to read as follows:

(a) Except as provided by Section 21.006(k), 22.093(l), 22.096, 28.006, 29.001(5), 29.010(a), 33.006(h), 37.1084, 38.003, or 39.003, the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, or Subchapter A, Chapter 37, only as necessary to ensure:

- (1) compliance with federal law and regulations;
- (2) financial accountability, including compliance with grant requirements;
- (3) data integrity for purposes of:
  - (A) the Public Education Information Management System (PEIMS); and
  - (B) accountability under Chapters 39 and 39A; and
- (4) qualification for funding under Chapter 48.

SECTION 2. Section 7.061(c), Education Code, is amended to read as follows:

SENATE VERSION (IE)

SECTION 1. Section 7.028(a), Education Code, is amended to read as follows:

(a) Except as provided by Section 21.006(k), 22.093(l), 22.096, 28.006, 29.001(5), 29.010(a), 33.006(h), ~~37.1083~~, 37.1084, 38.003, or 39.003, the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, or Subchapter A, Chapter 37, only as necessary to ensure:

- (1) compliance with federal law and regulations;
- (2) financial accountability, including compliance with grant requirements;
- (3) data integrity for purposes of:
  - (A) the Public Education Information Management System (PEIMS); and
  - (B) accountability under Chapters 39 and 39A; and
- (4) qualification for funding under Chapter 48.

SECTION \_\_. Sections 7.061(b) and (c), Education Code, are amended to read as follows:

***(b) The commissioner shall adopt or amend rules as necessary to ensure that facilities [building] standards for new and existing instructional facilities and other school district and open-enrollment charter school facilities, including construction quality, performance, operational, and other standards related to the safety and security of school facilities, provide a secure and safe environment. In adopting or amending rules under this section, the commissioner shall include the use of best practices for:***

- (1) the design and construction of new facilities; and***

CONFERENCE

SECTION 1. Same as Senate version.

SECTION 2. Same as Senate version.



**House Bill 3**  
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HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(c) Not later than September 1 of each even-numbered year, the commissioner shall review all rules adopted or amended under this section and amend the rules as necessary to ensure that **building** standards for school district and open-enrollment charter school facilities continue to provide a secure and safe environment. ***In reviewing and amending the rules, the commissioner shall:***

(1) in consultation with the Texas School Safety Center, identify and adopt any changes recommended under Section 37.221; and

(2) require that new and, to the extent feasible, existing school facilities meet or exceed the amended building standards.

SECTION 3. Section 11.201(c), Education Code, is amended to read as follows:

(c) For purposes of this subsection, "severance payment" means any amount paid by the board of trustees of an independent school district to or in behalf of a superintendent on early termination of the superintendent's contract that exceeds the amount earned by the superintendent under the contract as of the date of termination, including any amount that exceeds the amount of earned standard salary and benefits that is paid as a condition of early termination of the contract. The board of trustees may not make a severance payment to a superintendent who was terminated as a result of the district's noncompliance with safety and security requirements as provided by Section 37.1085. The board of trustees that makes a severance payment to a superintendent

***(2) the improvement, renovation, and retrofitting of existing facilities.***

(c) Not later than September 1 of each even-numbered year, the commissioner shall review all rules adopted or amended under this section and amend the rules as necessary to ensure that **facilities [building]** standards for school district and open-enrollment charter school facilities continue to provide a secure and safe environment. The commissioner shall, in consultation with the Texas School Safety Center, identify and adopt any changes recommended under Section 37.221. [FA1(24)]

***No equivalent provision.***

Same as Senate version.

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HOUSE VERSION

shall report the terms of the severance payment to the commissioner. The commissioner shall reduce the district's Foundation School Program funds by any amount that the amount of the severance payment to the superintendent exceeds an amount equal to one year's salary and benefits under the superintendent's terminated contract. The commissioner may adopt rules as necessary to administer this subsection.

*No equivalent provision.*

SENATE VERSION (IE)

SECTION 2. Subchapter B, Chapter 8, Education Code, is amended by adding Section 8.064 to read as follows:  
Sec. 8.064. SCHOOL SAFETY SUPPORT. (a) A regional education service center shall act as a school safety resource, using materials and resources developed by the Texas School Safety Center or the agency in accordance with Chapter 37, for school districts and open-enrollment charter schools in the region served by the center. The center may assist a school district or open-enrollment charter school directly or in collaboration with the Texas School Safety Center and local law enforcement agencies, as applicable: [FA1(1)]  
(1) in developing and implementing a multihazard emergency operations plan under Section 37.108;  
(2) in establishing a school safety and security committee under Section 37.109;  
(3) in conducting emergency school drills and exercises;  
(4) in addressing deficiencies in campus security identified by a school safety review team under Section 37.1084; and  
(5) by providing guidance on any other matter relating to school safety and security.  
(b) A regional education service center:

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SECTION 3. Same as Senate version.

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(1) shall provide assistance as necessary to the region's school safety review team established under Section 37.1084; and

(2) may provide assistance as necessary to school districts and open-enrollment charter schools in the region served by the center through the direct provision of positive behavioral interventions and supports to a student enrolled in one of those districts or schools to mitigate or prevent future harmful, threatening, or violent behavior by the student.  
[FA1(2)]

SECTION 4. Section 12.104(b), Education Code, as amended by Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(b) An open-enrollment charter school is subject to:

...

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

...

(V) school safety requirements under Sections 37.0814, 37.108, 37.1081, 37.1082, 37.1084, 37.1085, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071;

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) [~~(X)~~] parental options to retain a student under Section 28.02124.

SECTION 3. Section 12.104(b), Education Code, as amended by Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(b) An open-enrollment charter school is subject to:

...

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

...

(V) school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter J, Chapter 37; [FA1(3)-(4)]

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) [~~(X)~~] parental options to retain a student under Section 28.02124.

SECTION 4. Section 12.104(b), Education Code, as amended by Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(b) An open-enrollment charter school is subject to:

...

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

...

(V) school safety requirements under Sections 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter J, Chapter 37; [FA1(3)-(4)]

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) [~~(X)~~] parental options to retain a student under Section 28.02124.

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SECTION 5. Section 29.202(a), Education Code, is amended to read as follows:

(a) A student is eligible to receive a public education grant or to attend another public school in the district in which the student resides under this subchapter if the student is assigned to attend a public school campus:

- (1) assigned an unacceptable performance rating that is made publicly available under Section 39.054; or
- (2) determined by the commissioner to be noncompliant with safety and security requirements under Section 37.1085.

*No equivalent provision.*

*No equivalent provision.*

Same as Senate version.

SECTION 4. Subchapter Z, Chapter 22, Education Code, is amended by adding Section 22.904 to read as follows:

Sec. 22.904. MENTAL HEALTH TRAINING. [FA1(5)]

(a) Except as otherwise provided by this section, a school district shall require each district employee who regularly interacts with students enrolled at the district to complete an evidence-based mental health training program designed to provide instruction to participants regarding the recognition and support of children and youth who experience a mental health or substance use issue that may pose a threat to school safety. [FA1(6)]

(b) A school district may not require a district employee who has previously completed mental health training offered by a local mental health authority under Section 1001.203, Health and Safety Code, to complete the training required by this section. [FA1(6)]

(c) The agency shall provide an allotment to each school district *equal to the sum of the amount district employees*

SECTION 5. Same as Senate version except as follows:

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*spent on travel and training fees and the product of each employee's hourly salary multiplied by the number of hours that employee spent completing the training in accordance with commissioner rule to comply with this section. An allotment provided to a district under this section must be used to reimburse the employee for the cost of travel and training fees and to compensate the employee for the time spent completing the training required by this section.*

(d) The State Board for Educator Certification shall propose rules allowing an educator to receive credit toward the educator's continuing education requirements under Section 21.054(g) for the educator's participation in mental health training under this section. [FA1(6)]

(e) The commissioner shall adopt rules to implement this section, including rules specifying the training fees and travel expenses subject to reimbursement under Subsection (c).

*No equivalent provision.*

SECTION 5. Section 25.002(a), Education Code, is amended to read as follows:

(a) If a parent or other person with legal control of a child under a court order enrolls the child in a public school, the parent or other person or the school district in which the child most recently attended school shall furnish to the school district:

(1) the child's birth certificate or another document suitable as proof of the child's identity;

(2) a copy of the child's records from the school the child most recently attended if the child has been previously enrolled in a school in this state or another state, including for a child who most recently attended a public school in this state, a copy of the child's disciplinary record and any threat

(c) From funds appropriated for the purpose, the agency shall provide an allotment to each school district to assist the district in complying with this section. The amount of an allotment provided to a school district under this subsection may not exceed the costs incurred by the district for employees' travel, training fees, and compensation for the time spent completing the training required by this section. The agency may proportionally reduce each district's allotment if the amount appropriated is insufficient to pay for all costs incurred by districts under this subsection.

SECTION 6. Same as Senate version.

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assessment involving the child's behavior conducted under Section 37.115; and

(3) a record showing that the child has the immunizations as required under Section 38.001, in the case of a child required under that section to be immunized, proof as required by that section showing that the child is not required to be immunized, or proof that the child is entitled to provisional admission under that section and under rules adopted under that section.

SECTION 6. Section 25.036, Education Code, is amended by adding Subsection (c) to read as follows:

(c) In the case of a transfer under this section, a child's school district of residence shall provide the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior conducted under Section 37.115.

SECTION 7. Substantially the same as House version except as follows:

(a) The board of trustees of any school district may:  
(1) employ or contract with security personnel;  
(2) [;] enter into a memorandum of understanding with a local law enforcement agency or a county or municipality that is the employing political subdivision of commissioned peace officers for the provision of school resource officers;  
(3) ***for the purposes of providing security personnel,*** contract with a security services contractor licensed under Chapter 1702, Occupations Code, for the provision of a commissioned security officer, as defined by Section 1702.002, Occupations Code, ***who has completed the Level***

***No equivalent provision.***

SECTION 6. Section 37.081, Education Code, is amended. Among other provisions, Subsection (a) is amended to read as follows:

(a) The board of trustees of any school district may employ or contract with security personnel, enter into a memorandum of understanding with a local law enforcement agency or a county or municipality that is the employing political subdivision of commissioned peace officers for the provision of school resource officers, contract with a security services contractor licensed under Chapter 1702, Occupations Code, for the provision of a level two or three commissioned security officer, as defined by Section 1702.002, Occupations Code, and

SECTION 7. Same as Senate version.

SECTION 8. Same as Senate version.

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commission peace officers to carry out this subchapter.  
~~[If a board of trustees authorizes a person employed as security personnel to carry a weapon, the person must be a commissioned peace officer.]~~ The jurisdiction of a peace officer, a school resource officer, or security personnel under this section shall be determined by the board of trustees and may include all territory in the boundaries of the school district and all property outside the boundaries of the district that is owned, leased, or rented by or otherwise under the control of the school district and the board of trustees that employ the peace officer or security personnel or that enter into a memorandum of understanding for the provision of a school resource officer.

*No equivalent provision.*

SECTION 7. Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.0814 to read as follows:

Sec. 37.0814. ARMED SECURITY OFFICER REQUIRED. (a) The board of trustees of each school district shall determine the appropriate number of armed security officers for each district campus. The board must ensure at least one armed security officer is present during regular school hours at each district campus.

(b) A security officer described by Subsection (a) must be:

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II or III training course required by the Department of Public Safety; [s/] and

(4) commission peace officers to carry out this subchapter.  
(a-1) ~~[If a board of trustees authorizes a person employed as security personnel to carry a weapon, the person must be a commissioned peace officer.]~~ The jurisdiction of a peace officer, a school resource officer, or security personnel under this section shall be determined by the board of trustees and may include all territory in the boundaries of the school district and all property outside the boundaries of the district that is owned, leased, or rented by or otherwise under the control of the school district and the board of trustees that employ or contract with, as applicable, the peace officer or security personnel or that enter into a memorandum of understanding for the provision of a school resource officer.

SECTION 8. Section 37.0812(a), Education Code, is amended to read as follows:

(a) A school district peace officer or school resource officer shall complete an active shooter response training program approved by the Texas Commission on Law Enforcement at least once in each four-year period.

*No equivalent provision.*

CONFERENCE

SECTION 9. Same as Senate version.

SECTION 10. Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.0814 to read as follows:

Sec. 37.0814. ARMED SECURITY OFFICER REQUIRED. (a) The board of trustees of each school district shall determine the appropriate number of armed security officers for each district campus. The board must ensure that at least one armed security officer is present during regular school hours at each district campus.

(b) A security officer described by Subsection (a) must be:

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- (1) a school district peace officer;
- (2) a school resource officer;
- (3) a commissioned peace officer employed as security personnel under Section 37.081;
- (4) an individual who holds a level 3 license issued under Chapter 1702, Occupations Code;**

- (5) a school marshal; or
- (6) a school district employee or a person with whom the district contracts who:
  - (A) has completed school safety training provided by a qualified handgun instructor certified in school safety under Section 411.1901, Government Code; and
  - (B) carries a handgun **on his or her person while** on school premises in accordance with written regulations or written authorization of the district under Section 46.03(a)(1)(A), Penal Code.

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- (1) a school district peace officer;
- (2) a school resource officer; or
- (3) a commissioned peace officer employed as security personnel under Section 37.081.

**(c) If the board of trustees of a school district is unable to comply with this section, the board may claim a good cause exception from the requirement to comply with this section if the district's noncompliance is due to the availability of:**

- (1) funding; or**
- (2) personnel who qualify to serve as a security officer described by Subsection (a).**

**(d) The board of trustees of a school district that claims a good cause exception under Subsection (c) must develop an alternative standard with which the district is able to comply, which may include providing a person to act as a security officer who is:**

- (1) a school marshal; or
- (2) a school district employee or a person with whom the district contracts who:

(A) has completed school safety training provided by a qualified handgun instructor certified in school safety under Section 411.1901, Government Code; and

(B) carries a handgun on school premises in accordance with written regulations or written authorization of the district under Section 46.03(a)(1)(A), Penal Code.

**(e) The board of trustees of a school district must develop and maintain documentation of the district's implementation of and compliance with this section, including documentation related to a good cause exception claimed under Subsection (c), and shall, if requested by the**



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*agency, provide that documentation to the agency in the manner prescribed by the agency.*

SECTION 9. *Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.089 to read as follows:*  
*Sec. 37.089. ROLE OF PERSONS CARRYING A FIREARM ON SCHOOL GROUNDS.*

*(a) Subject to Subsection (b), a person permitted to carry a firearm on the campus of a school district may not perform the routine law enforcement duties of a peace officer, including making arrests, unless the duty is performed in response to an emergency that poses a threat of death or serious bodily injury to a student, school district employee, or other individual at the district campus.*

*(b) Subsection (a) does not apply to a commissioned peace officer who is assigned law enforcement duties that are included in campus and district documents describing the role of peace officers in the district as required by Section 37.081(d).*

*No equivalent provision.*

SECTION 10. Section 37.108, Education Code, is amended by amending Subsections (a), (b), and (f) and adding Subsection (h) to read as follows:

SECTION 11. Same as Senate version.

Same as Senate version.

SECTION 12. Section 37.108, Education Code, is amended by amending Subsections (a), (b), and (f) and adding Subsection (h) to read as follows:

*(c) Subject to Subsection (d), a security officer described by Subsection (a) may not perform the routine law enforcement duties of a peace officer, including making arrests, unless the duty is performed in response to an emergency that poses a threat of death or serious bodily injury to a student, school district employee, or other individual at the district campus.*

*(d) Subsection (c) does not apply to a commissioned peace officer who is assigned law enforcement duties that are included in campus and district documents describing the role of peace officers in the district as required by Section 37.081(d) but who is also fulfilling the role of armed security officer at the district under this section.*

*(e) A local law enforcement agency must apply the same policies, procedures, and fee structures to each memorandum of understanding entered into by the law enforcement agency with a school district for the provision of a school resource officer to act as an armed security officer in accordance with this section.*

SECTION 8. Section 37.108, Education Code, is amended by amending Subsections (a) and (b) and adding Subsection (h) to read as follows:

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(a) Each school district or public junior college district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center in conjunction with the governor's office of homeland security, ~~and~~ the commissioner of education, and the [or] commissioner of higher education~~[, as applicable]~~. The plan must provide for:

- (1) training in responding to an emergency for district employees, including substitute teachers;
- (2) measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services *or* emergency services agencies, law enforcement agencies, health departments, and fire departments;

...

(6) the implementation of a safety and security audit as required by Subsection (b);

*(7) evidence-based strategies to create positive and safe school environments, including:*

*(A) family engagement programs;*

*(B) employee trainings on multi-tiered systems of support for academic and behavioral success;*

*(C) efforts to respond to chronic absenteeism;*

*(D) trauma-informed practices as defined in Section 38.036; and*

*(E) opportunities for community feedback on the implementation of the measures required by this subdivision; and*

SENATE VERSION (IE)

(a) Each school district or public junior college district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center in conjunction with the governor's office of homeland security, ~~and~~ the commissioner of education, and the [or] commissioner of higher education~~[, as applicable]~~. The plan must provide for:

- (1) training in responding to an emergency for district employees, including substitute teachers;
- (2) measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services and [or] emergency services agencies, law enforcement agencies, health departments, and fire departments; [FA1(7)-(8)]

...

(6) the implementation of a safety and security audit as required by Subsection (b); [FA1(8)]

*(7) documentation related to the district's compliance with safety and security facility standards, including:*

*(A) implementation efforts;*

*(B) campus site plans;*

*(C) documentation of exterior door numbering and access control for each campus;*

*(D) any good cause exceptions claimed by the district under Section 37.353; and*

*(E) information on state funds received by the district for the purposes of complying with safety and security facility standards; and*

CONFERENCE

(a) Each school district or public junior college district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center in conjunction with the governor's office of homeland security, ~~and~~ the commissioner of education, and the [or] commissioner of higher education~~[, as applicable]~~. The plan must provide for:

- (1) training in responding to an emergency for district employees, including substitute teachers;
- (2) measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services *or* emergency services agencies, law enforcement agencies, health departments, and fire departments;

...

(6) the implementation of a safety and security audit as required by Subsection (b); and

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(8) any other requirements established by the Texas School Safety Center in consultation with the agency.

(b) At least once every three years, each school district or public junior college district shall conduct a safety and security audit of the district's facilities. A [To the extent possible, a] district

shall follow safety and security audit procedures developed by the Texas School Safety Center in coordination with the commissioner of education or commissioner of higher education, as applicable, or a person included in the registry established by the Texas School Safety Center under Section 37.2091.

*No equivalent provision.*

SENATE VERSION (IE)

(8) any other requirements established by the Texas School Safety Center in consultation with the agency **and local law enforcement agencies.** [FA1(9)]

(b) At least once every three years, each school district or public junior college district shall conduct a safety and security audit of the district's facilities. A [To the extent possible, a] district, **or a person included in the registry established by the Texas School Safety Center under Section 37.2091 who is engaged by the district to conduct a safety and security audit,** shall follow safety and security audit procedures developed by the Texas School Safety Center in coordination with the commissioner of education or commissioner of higher education, as applicable ~~[or a person included in the registry established by the Texas School Safety Center under Section 37.2091].~~ [FA1(10)-(11)]

(f) A school district shall include in its multihazard emergency operations plan:

...

(7) a policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill; ~~and~~

(8) the name of each individual on the district's school safety and security committee established under Section 37.109 and the date of each committee meeting during the preceding year; and

(9) certification that the district is in compliance with Section 37.117. [FA1(12)]

CONFERENCE

(7) any other requirements established by the Texas School Safety Center in consultation with the agency **and relevant local law enforcement agencies.**

(b) Same as Senate version.

(f) Same as Senate version.

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CONFERENCE

(h)

SECTION 9. Section 37.1081(a), Education Code, is amended.

SECTION 10. The heading to Section 37.1082, Education Code, is amended to read as follows:

Sec. 37.1082. MULTHAZARD EMERGENCY OPERATIONS PLAN NONCOMPLIANCE; APPOINTMENT OF AGENCY MONITOR, CONSERVATOR, OR BOARD OF MANAGERS.

SECTION 11. Sections 37.1082(a) and (b), Education Code, are amended to read as follows:

(a) If the agency receives notice from the Texas School Safety Center of a school district's failure to submit a multihazard emergency operations plan, the commissioner may appoint an agency monitor [~~a conservator~~] for the district under Chapter 39A. The agency monitor [~~conservator~~] may participate in and report to the agency on the district's adoption, implementation, and submission of [~~order the district to adopt, implement, and submit~~] a multihazard emergency operations plan.

(b) If a district fails to comply with an agency monitor's requests regarding the district's adoption, implementation, and submission of [~~a conservator's order to adopt, implement, and submit~~] a multihazard emergency operations plan within the time frame imposed by the commissioner, the commissioner may appoint a conservator or board of managers under Chapter 39A to oversee the operations of the district.

(h) Same as House version.

SECTION 11. Same as House version.

***No equivalent provision.***

***No equivalent provision. (But see SECTION 12 - Sec. 37.1085 below.)***

(h) Same as House version.

SECTION 13. Same as House version.

Same as Senate version.

Same as Senate version.

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SECTION 12. Subchapter D, Chapter 37, Education Code, is amended by adding Sections 37.1084 and 37.1085 to read as follows:

Sec. 37.1084. AGENCY MONITORING OF SCHOOL DISTRICT SAFETY AND SECURITY REQUIREMENTS.

(a) The agency shall monitor school district *compliance with* safety and security *requirements*, including *by annually conducting on-site audits of school districts. The agency may conduct the on-site audits using a cycle of random selection. The on-site audits must be conducted in accordance with criteria developed by the agency in consultation with the Texas School Safety Center.*

(b) The monitoring must include intruder detection audits of each school district to determine whether an intruder could gain unsecured, unauthorized access to a district campus. The agency shall ensure that an intruder detection audit is conducted annually at each school district and that the audit includes an on-site audit of not less than 25 percent of the district's campuses.

(c) The agency *may* establish an office of school safety and security within the agency to coordinate the agency's monitoring of school district *compliance with* safety and security requirements under this section. The *head of an office of school safety and security established under this subsection* must report directly to the commissioner.

SENATE VERSION (IE)

SECTION 12. Subchapter D, Chapter 37, Education Code, is amended by adding Sections 37.1083, 37.1084, 37.1085, 37.1086, and 37.1131 to read as follows: [FA1(13)]

Sec. 37.1083. Same heading as House version.

(a) The agency shall monitor *the implementation and operation of requirements related to* school district safety and security, including *school district:*  
*(1) multihazard emergency operations plans; and*  
*(2) safety and security audits.*

*No equivalent provision. (But see Sec. 37.1084 below.)*

(b) The agency *shall* establish an office of school safety and security within the agency *that consists of individuals with substantial expertise and experience in school or law enforcement safety and security operations and oversight at the local, state, or federal level* to coordinate the agency's monitoring of school district safety and security requirements under this section. The *director of the office is appointed by the governor and confirmed by the senate and* must report directly to the commissioner.

CONFERENCE

SECTION 14. Same as Senate version except as follows:

Sec. 37.1083. Same heading as House version.

(a) Same as Senate version.

Same as Senate version.

(b) Same as Senate version.

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(d) The agency shall, in coordination with the Texas School Safety Center, provide technical assistance to support implementation of *school district multihazard emergency operations plans and safety and security audits and other school district* safety and security requirements.

(e) The agency may *use or require the use of third parties to conduct the monitoring required under this section.*

(f) The agency and the Texas School Safety Center may identify, develop, and make available to school districts information to assist districts in the implementation and operation of safety and security requirements, including relevant:

- (1) guidelines;
- (2) techniques;
- (3) blueprints;
- (4) best practices; and
- (5) procedures.

*No equivalent provision.*

SENATE VERSION (IE)

(c) The agency shall, in coordination with the Texas School Safety Center *and local law enforcement agencies*, provide technical assistance *to school districts* to support the implementation *and operation* of safety and security requirements. [FA1(14)]

(g) The agency may *engage a third party as necessary to enable the agency to monitor the implementation and operation of school district safety and security requirements under this section.*

*No equivalent provision.*

(d) As part of the technical assistance provided under Subsection (c), the agency shall conduct a detailed vulnerability assessment of each school district on a random basis determined by the agency once every four years. The assessment must:

- (1) assess facility access controls, emergency operations procedures, and other school safety requirements; and
- (2) to the greatest extent practicable, coincide with the safety and security audit required under Section 37.108.

CONFERENCE

(c) The agency shall, in coordination with the Texas School Safety Center *and relevant local law enforcement agencies*, provide technical assistance *to school districts* to support the implementation *and operation* of safety and security requirements.

(g) Same as Senate version.

Same as Senate version.

(d) Same as Senate version.

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*No equivalent provision.*

*No equivalent provision.*

(g) The agency may require a school district to submit information necessary for the agency to **conduct an on-site audit or otherwise monitor** school district **compliance with** safety and security requirements under this section, including:

(1) notice of an event requiring a district's emergency response; and

(2) information regarding the district's response and use of emergency operations procedures during an event described by Subdivision (1).

(h)-(j)

*No equivalent provision.*

SENATE VERSION (IE)

(e) The agency shall use a rubric developed by the office of school safety and security in collaboration with the Texas School Safety Center to conduct a vulnerability assessment of a school district under Subsection (d).

(f) On completion of a vulnerability assessment under Subsection (d), the agency shall provide to the superintendent and school safety and security committee established under Section 37.109 for the applicable school district a report on the results of the assessment that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the agency.

(h) The agency may require a school district to submit information necessary for the agency to **monitor the implementation and operation of** school district safety and security requirements under this section, including:

(1) notice of an event requiring a district's emergency response **including the discovery of a firearm on a campus;** and

(2) information regarding the district's response and use of emergency operations procedures during an event described by Subdivision (1).

(i)-(k) Same as House version.

Sec. 37.1084. REGIONAL SCHOOL SAFETY REVIEW TEAMS. (a) In this section:

(1) "Office" means the office of school safety and security established under Section 37.1083.

CONFERENCE

(e) Same as Senate version.

(f) Same as Senate version.

(h) Same as Senate version.

(i)-(k) Same as House version.

Sec. 37.1084. Same as Senate version.

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(2) "Team" means a school safety review team established under this section.

(b) The office shall establish a school safety review team in each region served by a regional education service center. A team shall annually conduct on-site general intruder detection audits of school district campuses in the team's region. In conducting an intruder detection audit, a team must:

(1) use a rubric developed by the office in consultation with the Texas School Safety Center;

(2) not later than the seventh day before the date of a scheduled audit, notify the superintendent of the school district in which the campus being audited is located; and

(3) on completion of the audit, provide to the superintendent and school safety and security committee established under Section 37.109 for the school district in which the campus is located a report on the results of the audit that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the team.

(c) A regional education service center shall provide support as necessary to assist the region's team in conducting intruder detection audits under this section.

(d) A report produced by a team under this section is confidential and not subject to disclosure under Chapter 552, Government Code.

Sec. 37.1085. **ACTIONS BASED ON NONCOMPLIANCE WITH SAFETY AND SECURITY REQUIREMENTS.**

(a) For purposes of this section, the commissioner may determine that a school district or a campus of the district

Sec. 37.1085. **ASSIGNMENT OF CONSERVATOR FOR NONCOMPLIANCE WITH SCHOOL SAFETY AND SECURITY REQUIREMENTS.**

(a) The commissioner may assign a conservator under Chapter 39A if a school district fails to:

Sec. 37.1085. Same heading as Senate version.

(a) Same as Senate version except makes a conforming change to account for the addition of Subsection (c) below.



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is noncompliant with the safety and security requirements under Section 37.1084 if the district fails to:

- (1) submit to the required monitoring under that section;
- (2) comply with applicable safety and security requirements;  
or
- (3) address in a reasonable time period, as determined by commissioner rule, issues raised by the agency's monitoring of the district under that section.

*No equivalent provision.*

*No equivalent provision.*

(b) A student enrolled in a school district determined to be noncompliant under Subsection (a) is eligible to receive a public education grant to attend a school in a district other than the district in which the student resides as provided by Subchapter G, Chapter 29.

(c) If the superintendent or an administrator of a school district is terminated by the board of trustees of the district as a result of a determination that the district was noncompliant under Subsection (a), the board may not make a severance payment of any amount to the superintendent or administrator.

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- (1) submit to any required monitoring, *assessment, or audit* under Section 37.1083 or 37.1084;
- (2) comply with applicable safety and security requirements;  
or
- (3) address in a reasonable time period, as determined by commissioner rule, issues raised by the agency's monitoring, *assessment, or audit* of the district under Section 37.1083 or 37.1084.

(b) A conservator assigned to a district under this section may exercise the powers and duties of a conservator under Section 39A.003 only to correct a failure identified under Subsection (a).

*Same as House version.*

*No equivalent provision.*

*No equivalent provision.*

CONFERENCE

(b) Same as Senate version.

(c) This section does not apply to a school district's failure to comply with Section 37.0814 or a good cause exception claimed under that section.

Same as Senate version.

Same as Senate version.

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(d) The commissioner may adopt rules as necessary to implement this section.

*No equivalent provision.*

*No equivalent provision.*

Same as Senate version.

Sec. 37.1086. GUIDELINES FOR MULTHAZARD EMERGENCY OPERATIONS PLAN PROVISIONS FOR INDIVIDUALS WITH DISABILITIES OR IMPAIRMENTS. (a) The agency shall establish guidelines for the provisions in a school district's multihazard emergency operations plan under Section 37.108(f)(4) to ensure the safety of students and district personnel with disabilities or impairments during a disaster or emergency situation, in consultation with:  
(1) the Texas School Safety Center;  
(2) regional education service centers;  
(3) public school educators who work with students with disabilities or impairments; and  
(4) advocacy groups representing individuals with disabilities or impairments.  
(b) A school district must follow the guidelines established by the agency under Subsection (a) in adopting and implementing the district's multihazard emergency operations plan under Section 37.108. [FA1(15)]

Sec. 37.1086. Same as Senate version.

*No equivalent provision.*

Sec. 37.1131. NOTIFICATION REGARDING VIOLENT ACTIVITY. (a) The agency shall develop model standards for providing notice regarding violent activity that has occurred or is being investigated at a school district campus or other district facility or at a district-sponsored activity to parents, guardians, and other persons standing in parental relation to students who are assigned to the campus, regularly use the facility, or are attending the activity, as applicable. The standards must:

Sec. 37.1131. Same as Senate version.

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(1) include electronic notification through text messaging and e-mail;

(2) provide an option for real-time notification; and

(3) protect student privacy.

(b) Each school district shall adopt a policy for providing notice described by Subsection (a) in a manner that meets the standards adopted under that subsection.

SECTION 13. Section 37.115, Education Code, is amended by adding Subsections (j-1) and (j-2) to read as follows:

SECTION 13. Section 37.115, Education Code, is amended by amending Subsection (c) and adding Subsection (j-1) to read as follows:

SECTION 15. Same as Senate version.

*No equivalent provision.*

(c) The board of trustees of each school district shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams. The team is responsible for developing and implementing the safe and supportive school program under Subsection (b) at the district campus served by the team. The policies and procedures adopted under this section must:

(1) be consistent with the model policies and procedures developed by the Texas School Safety Center;

(2) require each team to complete training provided by the Texas School Safety Center or a regional education service center regarding evidence-based threat assessment programs; ~~and~~

(3) require each team established under this section to report the information required under Subsection (k) regarding the team's activities to the agency; and

(4) require each district campus to establish a clear procedure for a student to report concerning behavior

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exhibited by another student for assessment by the team or other appropriate school employee.

(j-1)

(j-1) Same as House version.

(j-2) If a person destroys material or information described by Subsection (j-1) before the period of maintenance required under that subsection has expired, the board of trustees of a school district may not renew the person's employment contract with the school district.

*No equivalent provision.*

No equivalent provision.

Same as House version. SECTION 14. [Deleted by FA1(16)]

Same as House version.

*No equivalent provision.*

SECTION \_\_. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.117 to read as follows:  
Sec. 37.117. EMERGENCY RESPONSE MAP AND WALK-THROUGH. Each school district and open-enrollment charter school shall provide to the Department of Public Safety and all appropriate local law enforcement agencies and emergency first responders:  
(1) an accurate map of each district campus and school building that is developed and documented in accordance with the standards described by Section 37.351 related to developing site and floor plans, access control, and exterior door numbering; and  
(2) an opportunity to conduct a walk-through of each district campus and school building using the map described by Subdivision (1). [FA1(16)]

SECTION 16. Same as Senate version.

SECTION 14. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.119 to read as follows:

*No equivalent provision.*

Same as Senate version.

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Sec. 37.119. STATEWIDE SCHOOL SAFETY COOPERATIVE CONTRACT PROGRAM FOR DESIGNATED TECHNOLOGIES; GRANTS. (a) The Department of Information Resources, in consultation with the agency and the Texas School Safety Center, shall develop a statewide school safety cooperative contract program under which the department:

(1) designates certain school safety technologies that a school district or open-enrollment charter school participating in the program may procure only under a designated statewide school safety cooperative contract approved under this section; and

(2) approves statewide school safety cooperative contracts with vendors to provide each technology designated under Subdivision (1).

(b) In designating technologies for purposes of this section, the Department of Information Resources:

(1) shall include school security solutions technologies that consist primarily of software applications and are typically sold on a recurring basis by a vendor of that technology, including:

(A) software-based access control solutions;

(B) software-based emergency mass notification solutions;

(C) video management or monitoring services;

(D) video-analytic firearm detection and alerting systems; and

(E) automated emergency response solutions; and

(2) may not designate:

(A) physical security threat assessments;

(B) hardware products, including security cameras that are sold as a one-time, fixed-cost product;

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(C) physical security hardening products, including fencing, ballistic glass, door reinforcements, and similar products;

(D) radios and other general communication devices; or

(E) enhanced mapping products that are sold as a one-time cost product with a minimal recurring annual fee.

(c) Before approving and entering into a statewide school safety cooperative contract with a vendor to provide a designated technology under this section, the Department of Information Resources, in consultation with the agency and the Texas School Safety Center, shall:

(1) ensure the technology contracted for meets the required specifications under Subsection (d);

(2) consider the purchase price of that technology compared to the price provided by other vendors or for similar technologies; and

(3) consider any other relevant factors.

(d) In selecting a vendor of a designated technology for a statewide school safety cooperative contract, the Department of Information Resources shall:

(1) ensure that the technology provided by that vendor:

(A) is capable of being fully integrated into a statewide system for which the vendor provides continuous uptime remote monitoring and auditing functionality;

(B) is developed in the United States without the use of any third-party or open-source data;

(C) is compliant with any applicable requirements under the National Defense Authorization Act (10 U.S.C. Section 2679); and

(D) if the technology uses software, has an application programming interface that is accessible to enable integration with other software; and

(2) to the extent possible, prioritize technologies:

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(A) designated as qualified technology under the federal SAFETY Act (6 U.S.C. Section 441 et seq.); and

(B) provided by a vendor that:

(i) is financially stable;

(ii) has demonstrated capability and responsibility through a sustained history of successful deployments of the technology at schools; and

(iii) is able to provide reliable maintenance and support.

(e) A school district or open-enrollment charter school that enters an agreement to participate in the statewide school safety cooperative contract program under this section may not purchase a technology designated under this section except under the applicable approved cooperative contract.

(f) From funds appropriated for the purpose, the agency shall provide to school districts and open-enrollment charter schools that participate in the statewide school safety cooperative contract program grants for the purchase of designated technologies under an applicable approved cooperative contract.

(g) The Department of Information Resources and the commissioner may adopt rules as necessary to implement this section.

SECTION 15. Among other provisions, Section 37.2071(h), Education Code, is amended to read as follows:

(h) If a school district has failed to submit a plan, the notice required by Subsection (d) [~~(g)~~] must state that the commissioner is authorized to appoint ***an agency monitor [a conservator]*** under Section 37.1082.

SECTION 15. Same as House version except as follows:

(h) If a school district has failed to submit a plan, the notice required by Subsection (d) [~~(g)~~] must state that the commissioner is authorized to appoint ***a conservator*** under Section 37.1082.

SECTION 17. Same as Senate version.

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SECTION 16. Section 37.2091, Education Code, is amended.

SECTION 17. Subchapter G, Chapter 37, Education Code, is amended by adding Sections 37.221 and 37.222 to read as follows:

Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) At least once every five years, the center shall review the **building** standards for instructional facilities adopted under Section 7.061 and make recommendations to the commissioner regarding any changes necessary to ensure that the **building** standards reflect best practices for **student safety**.

(b) The commissioner shall coordinate with municipalities and counties as necessary to align building code requirements with building standards recommended under Subsection (a) for purposes of ensuring compliance with those standards.

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SECTION 16. Same as House version.

SECTION 17. Subchapter G, Chapter 37, Education Code, is amended by adding Sections 37.221 and 37.222 to read as follows:

Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) At least once every five years, the center shall review the **facilities** standards for instructional facilities adopted under Section 7.061 and make recommendations to the commissioner regarding any changes necessary to ensure that the **facilities** standards:

(1) reflect best practices for **improving school safety through the design and construction of school facilities; and**

(2) are consistent with standards adopted under Chapter 469, Government Code, regarding the elimination of architectural barriers.

(b) The center and commissioner may consult with stakeholders with relevant expertise regarding whether any updates to requirements for the use of funds granted or allocated to school districts for purposes of improving the safety and security of school facilities are necessary to align with best practices.

(c) In updating facilities standards, the commissioner shall:

(1) incorporate input from the center and stakeholders with relevant expertise regarding best practices for standards applicable to the design and construction of school facilities; and

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SECTION 18. Same as House version.

SECTION 19. Same as Senate version.



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**(2) ensure the standards are updated as necessary to ensure compliance with any changes to state law and local building codes.** [FA1(17)]

Sec. 37.222. RESOURCES ON SAFE FIREARM STORAGE.

Sec. 37.222. Same as House version.

*No equivalent provision.*

SECTION \_\_. Chapter 37, Education Code, is amended by adding Subchapter J to read as follows:

SECTION 20. Same as Senate version except as follows:

SUBCHAPTER J. SAFETY AND SECURITY REQUIREMENTS FOR FACILITIES

Same Subchapter heading as Senate version.

Sec. 37.351. FACILITIES STANDARDS COMPLIANCE.

Sec. 37.351. Same as Senate version.

(a) A school district must ensure that each district facility complies with each school facilities standard, including performance standards and operational requirements, related to safety and security adopted under Section 7.061 or provided by other law or agency rule.

(b) A school district must develop and maintain documentation of the district's implementation of and compliance with school safety and security facilities standards for each district facility, including a good cause exception claimed under Section 37.353, and shall, if requested by the agency, provide that documentation to the agency in the manner prescribed by the agency.

Sec. 37.352. PURCHASING REQUIREMENTS. A school district shall comply with all applicable state laws and rules relating to procurement for district purchases relating to

Sec. 37.352. Same as Senate version.

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achieving compliance with the facilities standards adopted under Section 7.061 or provided by other law or agency rule.

Sec. 37.353. GOOD CAUSE EXCEPTION. (a) If a school district is unable to bring a district facility into compliance with a school facilities standard related to safety and security, the district may claim a good cause exception from the requirement to comply with that standard, including for a reason related to:

- (1) the age, physical design, or location of the noncompliant facility;
- (2) the projected remaining use or functional life of the noncompliant facility;
- (3) availability of funding; or
- (4) supply chain obstacles.

(b) A school district that claims a good cause exception under Subsection (a) must develop an alternative performance standard with which the district is able to comply.

Sec. 37.354. FUNDING FOR FACILITIES STANDARDS COMPLIANCE. (a) The commissioner may authorize a school district to use money provided to the district for the purpose of improving school safety and security, including the school safety allotment under Section 48.115 or any other funding or grant money available to the district for that purpose, to comply with the requirements of this subchapter. (b) The commissioner may adopt rules regarding safety and security requirements with which a school district must comply to receive funding or grant money available for the purpose of improving school safety and security. [FA1(24)]

Sec. 37.353. Same as Senate version.

Sec. 37.354. Same as Senate version except also adds Subsection (a-1) to read as follows:

***(a-1) Funds appropriated in S.B. 30, Acts of the 88th Legislature, Regular Session, 2023, or similar legislation, for the purpose of improving school safety and security, may be used as described by Subsection (a). This subsection expires September 1, 2026.***

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*No equivalent provision.*

Sec. 37.355. CONFIDENTIALITY. (a) Any document or information collected, identified, developed, or produced relating to a safety or security requirement under this subchapter is confidential under Sections 418.177 and 418.181, Government Code, and not subject to disclosure under Chapter 552, Government Code.  
(b) The commissioner may adopt rules as necessary to administer this section.

*No equivalent provision.*

SECTION 18. Section 38.022, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A school district may require a person who enters property under the district's control [~~a district campus~~] to display the person's driver's license, [or] another form of identification containing the person's photograph issued by a governmental entity, or, if applicable, the person's district employee or student identification card. The person must provide the identification on request.

(a-1) A school district may eject a person from district property if:

(1) the person refuses or fails to provide on request identification described by Subsection (a); and

(2) it reasonably appears that the person has no legitimate reason to be on district property.

SECTION 21. Same as Senate version.

SECTION 18. Subchapter E, Chapter 45, Education Code, is amended.

SECTION 19. Substantially the same as House version except also makes conforming changes to account for the addition of Section 37.351. [FA1(18)-(21)]

SECTION 22. Same as Senate version except makes a technical correction.

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SECTION 19. Section 48.115, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1) and (e) to read as follows:

(a) **Subject to** Subsection (a-1), a ~~[From funds appropriated for that purpose, the commissioner shall provide to a]~~ school district is entitled to an annual allotment equal to the sum of the following amounts or a greater [in the] amount provided by appropriation:

- (1) \$100 for each student in average daily attendance, plus \$1 for each student in average daily attendance per every \$50 by which the district's maximum basic allotment under Section 48.051 exceeds \$6,160, prorated as necessary; and
- (2) \$15,000 per campus.

(a-1) A school district may not receive an allotment under Subsection (a) unless the district enters into an agreement with the Department of Information Resources, the agency, and the Texas School Safety Center to participate in the statewide school safety cooperative contract program developed under Section 37.119 for the purchase of designated technologies.

***No equivalent provision.***

(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:

- (1) securing school facilities, including:

SENATE VERSION (IE)

SECTION 20. Section 48.115, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1), (b-1), (c-1), and (e) to read as follows:

(a) **Except as provided by** Subsection (a-1), ~~[From funds appropriated for that purpose, the commissioner shall provide to]~~ a school district is entitled to an annual allotment equal to the sum of the following amounts or a greater [in the] amount provided by appropriation:

- (1) \$10 for each student in average daily attendance, plus \$1 for each student in average daily attendance per every \$50 by which the district's maximum basic allotment under Section 48.051 exceeds \$6,160, prorated as necessary; and
- (2) \$15,000 per campus.

***No equivalent provision.***

(a-1) A school district campus that provides only virtual instruction or utilizes only facilities not subject to the district's control is not included for purposes of determining a school district's allotment under Subsection (a).

(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:

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SECTION 23. Section 48.115, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1), (b-1), (b-2), (c-1), and (e) to read as follows:

(a) Same as Senate version.

Same as Senate version.

(a-1) Same as Senate version.

(b) Same as Senate version except replaces the reference to Section 37.354 in Subdivision (1) with a reference to Section 37.351.

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- (A) improvements to school infrastructure;
- (B) the use or installation of physical barriers; and
  
- (C) the purchase and maintenance of:
  - (i) security cameras *or* other security equipment; and
  
  - (ii) technology, including communications systems or devices, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;
  
- (2) providing security for the district, including:
  - (A) employing school district peace officers, private security officers, ~~and~~ school marshals, and other persons authorized by the board of trustees of the district and permitted by law to carry a weapon on school campus grounds; and
  - (B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;
  - (3) school safety and security measures ~~[training and planning]~~, including:
    - (A) active shooter and emergency response training;

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- (1) securing school facilities in accordance with the requirements of Section 37.354, including:
  - (A) improvements to school infrastructure;
  - (B) the use or installation of perimeter security fencing conducive to a public school learning environment or physical barriers, which may not include razor wire; ~~and~~
  - (C) exterior door and window safety and security upgrades, including exterior door numbering and locking systems and security film that provides resistance to a forced entry; and
  - (D) the purchase and maintenance of:
    - (i) security cameras and, if the district has already installed security cameras, ~~or~~ other security equipment, including video surveillance as provided by Section 29.022; and
    - (ii) technology, including communications systems or devices, such as silent panic alert devices, two-way radios, or wireless Internet booster equipment, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency; [FA1(22)]
- (2) providing security for the district, including:
  - (A) employing school district peace officers, private security officers, and school marshals; and
  
  - (B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;
  - (3) school safety and security measures ~~[training and planning]~~, including:

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(B) prevention and treatment programs relating to addressing adverse childhood experiences; 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, and individuals trained in restorative discipline and restorative justice practices;  
(ii) providing mental health personnel and support;  
(iii) providing behavioral health services;  
(iv) establishing threat reporting systems; and  
(v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support; ~~and~~  
(4) providing programs related to suicide prevention, intervention, and postvention; and  
(5) employing a school safety director and other personnel to manage and monitor school safety initiatives and the implementation of school safety requirements for the district.

*No equivalent provision.*

*No equivalent provision.*

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(A) active shooter and emergency response training;  
(B) prevention and treatment programs relating to addressing adverse childhood experiences; 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, and individuals trained in restorative discipline and restorative justice practices;  
(ii) providing mental health personnel and support;  
(iii) providing behavioral health services;  
(iv) establishing threat reporting systems; and  
(v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support; ~~and~~  
(4) providing programs related to suicide prevention, intervention, and postvention; and  
(5) employing a school safety director and other personnel to manage and monitor school safety initiatives and the implementation of school safety requirements for the district.

(b-1) The agency may designate certain technologies that a school district, in using funds allocated under this section, may purchase only from a vendor approved by the agency.

Same as House version.

CONFERENCE

(b-1) Same as Senate version.

(b-2) If the agency, in coordination with the Texas School Safety Center, determines that entering into a statewide contract with a vendor for the provision of a technology designated under Subsection (b-1) would result in cost savings to school districts, the agency may, after receiving approval from the Legislative Budget Board and office of the governor, enter into a contract with a vendor to provide the

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*No equivalent provision.*

(e) Notwithstanding any other law, a school district may use funds allocated under this section to provide training to **an armed security officer employed by the district in accordance with Section 37.0814 to prepare the officer to provide instruction to students in the district on personal safety and related subjects.**

*No equivalent provision.*

(c-1) The agency, or if designated by the agency, the Texas School Safety Center, shall establish and publish a directory of approved vendors of school safety technology and equipment a school district may select from when using funds allocated under this section. If a school district uses funds allocated under this section to purchase technology or equipment from a vendor that is not included in the directory, the district must solicit bids from at least three vendors before completing the purchase.

(e) Notwithstanding any other law, a school district may use funds allocated under this section to provide training to **a person authorized by the district to carry a firearm on a district campus.**

SECTION \_\_. Subchapter Z, Chapter 411, Government Code, is amended by adding Section 411.951 to read as follows:  
Sec. 411.951. CONFIDENTIALITY OF IWATCHTEXAS COMMUNITY REPORTING SYSTEM REPORTS. All suspicious activity reports and school safety reports included in the iWatchTexas community reporting system operated by the department are confidential and not subject to disclosure under Chapter 552. [FA3]

technology to each district that uses funds allocated under this section to purchase that technology.

(c-1) Same as Senate version.

(e) Same as Senate version.

SECTION 24. Same as Senate version.

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SECTION 20. Subchapter B, Chapter 85, Local Government Code, is amended by adding Section 85.024 to read as follows:

Sec. 85.024. SCHOOL SAFETY MEETINGS. (a) The sheriff of a county in which a public school is located shall call and conduct semiannual meetings to discuss:

- (1) school safety;
- (2) coordinated law enforcement response to school violence incidents;
- (3) law enforcement agency capabilities;
- (4) available resources;
- (5) emergency radio interoperability;
- (6) chain of command planning; and
- (7) other related subjects proposed by a person in attendance at the meeting.

(b) The sheriff of a county in which more than one *school district or open-enrollment charter school* is located is only required to hold one semiannual meeting described by Subsection (a); *however districts and schools located* within the same county *may* adopt *different* school safety policies.

(c)-(e)

*No equivalent provision.*

SENATE VERSION (IE)

SECTION 21. Subchapter B, Chapter 85, Local Government Code, is amended by adding Section 85.024 to read as follows:

Sec. 85.024. SCHOOL SAFETY MEETINGS. (a) The sheriff of a county *with a total population of less than 350,000* in which a public school is located shall call and conduct semiannual meetings to discuss:

- (1) school safety;
- (2) coordinated law enforcement response to school violence incidents;
- (3) law enforcement agency capabilities;
- (4) available resources;
- (5) emergency radio interoperability;
- (6) chain of command planning; and
- (7) other related subjects proposed by a person in attendance at the meeting.

(b) The sheriff of a county *to which this section applies* in which more than one *public school* is located is only required to hold one semiannual meeting described by Subsection (a). *This subsection does not require public schools located* within the same county *to* adopt *the same* school safety policies.

(c)-(e) Same as House version.

SECTION 22. (a) As soon as practicable after the effective date of this Act, the Texas Education Agency shall establish the office of school safety and security and the governor shall appoint the director of that office as required by Section 37.1083, Education Code, as added by this Act.

CONFERENCE

SECTION 25. Same as Senate version.

SECTION 26. Same as Senate version.



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SENATE VERSION (IE)

CONFERENCE

SECTION 21. To the extent of any conflict, this Act prevails over another Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 22. Sections 7.028 *and 29.202, Education Code, as amended by this Act*, and Chapter 37, Education Code, as amended by this Act, apply beginning with the 2023-2024 school year.

SECTION 23. The change in law made by this Act to Section 37.081, Education Code, applies only to a memorandum of understanding under that section that is entered into on or after September 1, 2023.

(b) As soon as practicable after the office of school safety and security has been established, the office shall establish school safety review teams in each region served by a regional education service center as required by Section 37.1084, Education Code, as added by this Act.

SECTION 24. Same as House version.

SECTION 25. (a) Section 7.028 and Chapter 37, Education Code, as amended by this Act, apply beginning with the 2023-2024 school year.

*(b) Notwithstanding Section 22.904, Education Code, as added by this Act, a school district must require the district's employees to complete the mental health training required under that section as follows: [FA1(23)]*

*(1) at least 25 percent of the applicable district employees before the beginning of the 2025-2026 school year;*

*(2) at least 50 percent of the applicable district employees before the beginning of the 2026-2027 school year;*

*(3) at least 75 percent of the applicable district employees before the beginning of the 2027-2028 school year; and*

*(4) 100 percent of the applicable district employees before the beginning of the 2028-2029 school year.*

*No equivalent provision.*

SECTION 28. Same as House version.

SECTION 29. Same as Senate version.

Same as Senate version.

**House Bill 3**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 24. Section 37.1085(c), Education Code, as added by this Act, applies only to a superintendent, administrator serving as educational leader and chief executive officer of a school district or open-enrollment charter school, or other administrator of the district or school employed under a contract entered into on or after the effective date of this Act.

SECTION 25. Transition provision.

SECTION 26. Effective date.

SENATE VERSION (IE)

*No equivalent provision.*

SECTION 23. Same as House version.

SECTION 26. Same as House version.

CONFERENCE

Same as Senate version.

SECTION 27. Same as House version.

SECTION 30. Same as House version.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 27, 2023**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
 Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3** by Burrows (Relating to measures for ensuring public school safety, including the development and implementation of purchases relating to and funding for public school safety and security requirements and the provision of safety-related resources.), **Conference Committee Report**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3, Conference Committee Report : a negative impact of (\$327,811,956) through the biennium ending August 31, 2025.

Cost estimates below do not include the cost of mental health training grants under the bill, which cannot be determined at this time.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five- Year Impact:**

<i>Fiscal Year</i>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2024	(\$165,115,479)
2025	(\$162,696,477)
2026	(\$161,910,521)
2027	(\$161,048,009)
2028	(\$159,914,569)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<b>Probable Savings/(Cost) from Foundation School Fund 193</b>	<b>Probable Savings/(Cost) from Recapture Payments Atten Crdts 8905</b>	<b>Probable (Cost) from General Revenue Fund 1</b>	<b>Change in Number of State Employees from FY 2023</b>
2024	(\$152,839,911)	\$26,652,267	(\$12,275,568)	47.0
2025	(\$153,503,751)	\$27,878,721	(\$9,192,726)	47.0
2026	(\$152,717,795)	\$27,631,739	(\$9,192,726)	47.0
2027	(\$151,855,283)	\$29,368,677	(\$9,192,726)	47.0
2028	(\$150,364,343)	\$29,989,190	(\$9,550,226)	47.0

**Fiscal Analysis**

The bill would require the commissioner of education to review and amend rules necessary to ensure that district and open-enrollment charter facilities standards continue to provide a secure and safe environment.

Regional education service centers (ESC) would serve as resources for school districts and open-enrollment charters for safety and security and provide assistance to school safety review teams. ESCs, directly or in collaboration with the Texas School Safety Center (TxSSC) and local law enforcement agencies, would assist schools with certain safety plans and requirements.

The bill would require the Texas Education Agency (TEA) to provide an allotment to each school that equals the amount spent by employees on travel and training for certain mental health training from funds appropriated for the purpose. The bill allows for a phase in of this requirement, and the commissioner would be required to adopt rules for implementation.

The bill would require school district boards to determine the appropriate number of armed security officers for each campus; ensuring at least one armed security officer at each school campus, with certain exceptions.

TEA would establish an office of school safety and security within the agency to coordinate the agency's monitoring of school district safety and security requirements, including multihazard emergency operations plans (EOPs) and safety and security audits (SSAs). The office would establish regional school safety review teams. The agency, in coordination with the TxSSC and relevant local law enforcement, would provide technical assistance to support the implementation and operation of safety and security requirements. As part of the technical assistance, the agency would be required to conduct certain vulnerability assessments and onsite general intruder detection audits.

TEA would require a school district to submit information necessary for the agency to monitor the implementation and operation of school district safety and security requirements. TEA would review school district records as necessary to ensure compliance, and ensure collected information is kept confidential.

Any proceeds from bonds would be used by certain school districts to come into compliance with safety standards before other bond proceeds could be spent.

TEA, or if designated by TEA, the TxSSC, would establish and publish a directory of approved vendors of school safety technology and equipment.

The bill would require that, at least once every five years, TxSSC would review the facilities standards for instructional facilities and make recommendations to the commissioner regarding any changes necessary to ensure that the standards reflect best practices for student safety. The commissioner would coordinate with municipalities and counties to align building code requirements with safety and security requirements.

TxSSC, in collaboration with the Department of Public Safety (DPS), would be required to provide resources to assist schools with safe firearm storage. Districts would also be required to provide DPS and other responders with an accurate map of district campuses and school buildings and an opportunity to conduct a walk-through.

The bill would require twice annual meetings of school officials and law enforcement in certain counties coordinated by the sheriff. The sheriffs would be required to submit related reports to the TxSSC, and TxSSC would maintain the reports and make them publicly available on its website.

The bill would amend the School Safety Allotment under the Foundation School Program (FSP). Under the provisions on the bill, a school district would be entitled to \$15,000 per campus and \$10 per student in average daily attendance plus \$1 per student in average daily attendance for every \$50 basic allotment increase.

## **Methodology**

The Texas Education Agency (TEA) assumes that provisions of the bill would impact the agency's staffing of school safety and security. This analysis assumes that implementation of the bill's monitoring and technical assistance provisions would require 45.0 additional full-time-equivalent positions (FTEs) for operational, technology-related, and administrative staff to support new regional school safety review teams. This analysis assumes that the office would consist of individuals with substantial expertise and experience in school or law enforcement safety and security operations and oversight. The total cost for these office of school safety FTEs, including salaries, benefits, setup costs, and operating costs would be \$6.2 million in fiscal year 2024 and \$6.4

million in fiscal years 2025-2028.

This analysis assumes TEA would incur additional costs for the development of the office of school safety related to travel, professional development, fieldwork technology, training equipment and supports, and the purchase and maintenance of approximately 30 vehicles. These costs would total \$3.8 million in fiscal year 2024 and \$2.4 million for fiscal years 2025-27. Due to vehicle replacement costs assumed for fiscal year 2028, the total costs in that year would be \$2.8 million.

The cost of the mental health training allotment could be significant; however, it cannot be determined at this time. The allotment would be provided from funds appropriated for for this purpose. This analysis assumes the staff resources needed to implement the mental health training program to be 2.0 FTEs for the Supportive Schools Division; total fiscal impact across these two positions is estimated to be \$243,500 in fiscal year 2024 and \$238,300 in each year thereafter, including salaries, operating cost, and benefits.

This analysis assumes costs to public junior colleges to implement updates to EOPs could be absorbed with existing resources. Public junior colleges with early college high school campuses may be required to update safety standards.

This analysis assumes the costs of implementation for TxSSC and DPS would be able to be absorbed with existing resources.

The estimated state cost of amending the School Safety Allotment under the FSP would be \$152.8 million in fiscal year 2024, \$153.5 million in fiscal year 2025, and \$150.4 million in fiscal year 2028. The cost to the FSP includes estimated decreases in Recapture Payments - Attendance Credits of \$26.7 million in fiscal year 2024, \$27.9 million in fiscal year 2025, increasing to \$30.0 million in fiscal year 2028 as a result of school district entitlement increases. The decrease in recapture is reflected as a savings in the table above because recapture is appropriated as a method of finance for the FSP in the General Appropriations Act. Because the bill would not require an increase to the basic allotment, this analysis does not include a cost for this provision.

## **Technology**

TEA assumes that provisions of the bill would require the development and implementation of a new application for school audit data and modifications to the existing FSP application.

The cost estimate to develop and implement the requirements in a new application would be \$1,631,386 for initial development. Technology costs related to implementation of provisions of the bill would also include onetime Data Center Service (DCS) costs of \$11,532 for hardware and software and an ongoing annual DCS cost of \$160,756.

TEA assumes the estimated cost to develop and implement the requirements in the FSP application would be \$271,729 for initial development.

Additionally, this analysis assumes five FTEs, included in total FTEs and personnel costs in the above methodology section, would be needed to provide ongoing support and maintenance.

## **Local Government Impact**

This analysis assumes that districts may experience a fiscal impact implementing provisions of the bill requiring certain security staffing. This impact, while potentially significant, cannot be determined as the bill would require district boards of trustees to determine the appropriate number of armed security officers for each campus; however, they would ensure an armed security officer is present during regular school hours at each district campus, with certain exceptions. Districts may incur significant costs to ensure compliance with facilities standards.

District may also incur costs related to implementation of provisions of the bill that would update safety and security requirements, including updates or modifications to EOPs and related procedures and training, provision of certain student records, certain data collection and compliance documentation, acquisition of technology from approved vendors, addressing audit deficits, and physical security upgrades.

The bill would provide schools with additional per campus and per student safety funding to implement provisions.

**Source Agencies:** 313 Department of Information Resources, 405 Department of Public Safety, 701 Texas Education Agency, 758 Texas State University System, 978 San Jacinto College

**LBB Staff:** JMc, CMA, ASA, ENA, KSk, NPe, SL, MJe