

- SUBJECT:** Amending safety and security requirements for schools
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 10 ayes — Huberty, Bernal, Allen, Bohac, Deshotel, Gooden, K. King, Koop, Meyer, VanDeaver
- 0 nays
- 1 absent — Dutton
- SENATE VOTE:** On final passage, May 10 — 27-3 (Buckingham, Burton, V. Taylor)
- WITNESSES:** For — (*Registered, but did not testify:* Paige Williams, Texas Classroom Teachers Association; Portia Bosse, Texas State Teachers Association)
- Against — None
- On — (*Registered, but did not testify:* Kara Belew, Heather Mauze, and Candace Stoltz, Texas Education Agency)
- BACKGROUND:** Education Code, sec. 37.108 requires each school district or public junior college district to adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address mitigation, preparedness, response, and recovery.
- Each district must conduct a safety and security audit of its facilities at least once every three years, following procedures developed by the Texas School Safety Center (TxSSC) or a comparable public or private entity. Audit results are reported to the district's board of trustees and TxSSC. Sec. 37.207 requires TxSSC to develop the model safety and security audit procedure for use by the districts.
- Sec. 37.109 requires each school district to establish a school safety and security committee and sets a committee's duties on behalf of the district.

Concerns have been raised that some public school districts and open-enrollment charter schools lack organization in times of emergency. Some suggest that improvements should be made to strengthen the current school safety framework to ensure that students in Texas remain safe.

DIGEST:

SB 2078 would amend certain requirements related to school safety, including provisions related to the multihazard emergency operations plan, safety and security audits, and safety and security committees. It also would create a notification requirement for certain threats.

School districts and open-enrollment charter schools would be subject to SB 2078. In addition, the bill would make open enrollment charters subject to school safety requirements in existing law under Education Code, ch. 37.

Multihazard emergency operations plan. A school district's multihazard emergency operations plan would be required to include:

- a chain of command that designated primary and secondary individuals responsible for making final decisions during a disaster or emergency situation;
- provisions for responding to a natural disaster, active shooter, and any other dangerous scenario identified by the Texas Education Agency (TEA) or the Texas School Safety Center (TxSSC);
- provisions for ensuring the safety of students in portable buildings, which would be developed by TxSSC by January 1, 2018;
- provisions for providing immediate notification to parents or guardians in circumstances involving a significant threat to the health or safety of students;
- a statement of the amount per student expended on school safety determined by a method developed by TEA and TxSSC; and
- the name of each individual on the district's school safety and security committee and the date of each committee meeting during the preceding year.

TEA would adopt a model multihazard emergency operations plan that

school districts could use to develop the required district-specific plan. The agency also would be required to adopt a cycle to review a school district's plan and make an independent final determination of whether it complied with applicable standards. TxSSC would participate in TEA's review process and could provide recommendations to that effect.

TEA would post information on its website that identified each school district that:

- failed to submit its multihazard emergency operations plan for review and approval;
- submitted a plan that did not comply with an applicable standard;
- or
- failed the required school safety and security audit.

Safety and security audits. In conducting a safety and security audit of a district's facilities, the district also could follow audit procedures developed by a person included in a registry of persons providing school safety or security consulting services established by TxSSC, instead of a public or private entity comparable to the safety center. TxSSC would be required to compile school district audit results and report them to TEA, and districts also would be required to report the results to the agency.

TEA would be required to provide assistance to TxSSC in developing the model safety and security audit procedure.

Safety and security committee. The bill would establish membership and meeting requirements for a school district's safety and security committee and clarify that these committees would be subject to open meetings laws. The committee would be required to periodically provide recommendations regarding updating the district's multihazard emergency operations plan in accordance with best practices identified by TEA, TxSSC, or a person included in the center's registry.

Notification regarding bomb or terroristic threats. A school district that received a bomb or terroristic threat relating to a campus or other

district facility at which students were present would be required to provide notification of the threat as soon as possible to the parent or guardian of or other person standing in parental relation to each student who was assigned to the campus or who regularly used the facility.

Effective date. The Commissioner of Education would be required to implement this bill only if the Legislature appropriated money specifically for that purpose. If money was not appropriated, the commissioner could, but would not be required to, implement the bill using other available appropriations.

The bill would take effect September 1, 2017.

NOTES:

According to the Legislative Budget Board's fiscal note, the bill would result in a negative impact of \$445,778 to general revenue related funds through fiscal 2018-19, with a similar impact in subsequent biennia.