

SUBJECT: Establishing a school security volunteer program in certain counties

COMMITTEE: Public Education — committee substitute recommended

VOTE: 9 ayes — Dutton, Lozano, Allen, Allison, K. Bell, Buckley, Huberty, K. King, VanDeaver

2 nays — Meza, Talarico

1 absent — M. González

1 present not voting — Bernal

WITNESSES: For — Felisha Bull, Gun Owners of America; David Hullum, Law Enforcement and as President of School Board; (*Registered, but did not testify*: Carrie Griffith, Texas State Teachers Association)

Against — Steven Aleman, Disability Rights Texas; (*Registered, but did not testify*: Dennis Borel, Coalition of Texans with Disabilities; Chloe Latham Sikes, IDRA (Intercultural Development Research Association); Dena Donaldson, Texas AFT; Ashley Ford, The Arc of Texas)

On — (*Registered, but did not testify*: Craig Goralski, Texas Education Agency)

DIGEST: CSHB 2557 would authorize the board of trustees of certain school districts or the governing body of certain open-enrollment charter schools to approve a school security volunteer program under which the district or school provided written regulations or authorization for eligible persons to serve as school security volunteers.

School security volunteers could provide security services for the district or school on school grounds, including any location in which a school or district sponsored activity was being conducted, and in school vehicles. School security volunteers could be authorized to carry a handgun in providing security services.

The bill would apply only to a school district or charter school located in a county with a population of less than 150,000.

Eligibility. A person would be eligible to serve as a school security volunteer for a program approved under the bill only if:

- the person was not an employee of the district or school, a contractor providing services under a contract with the district or school, or a person who otherwise received compensation from the district or school;
- the person was a qualified retired law enforcement officer or a veteran; and
- the board of trustees or governing body determined that the person was eligible based on the results of a criminal background check.

CASHB 2557 would exempt school security volunteers for a school district or open-enrollment charter school from provisions in the Occupations Code regarding private security.

Program approval. A school district that approved a school security volunteer program would be required to include the program in the district's required multihazard emergency operations plan.

An open-enrollment charter school that approved a program would have to adopt and implement measures to ensure, in an emergency, coordination with the Department of State Health Services (DSHS) and local emergency management and law enforcement agencies, health departments, and fire departments.

Training. A school district or charter school that approved a program under the bill would be required to provide to each school security volunteer a course of instruction on the safety and security policies of the district or school. School districts would have to include instruction about the district's multihazard emergency operations plan.

Civil liability. A school safety volunteer would be immune from civil liability to the same extent as a professional employee of a school district. The bill would not limit the liability of a person who engaged in intentional misconduct or gross negligence.

The bill would apply beginning with the 2021-2022 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

**SUPPORTERS
SAY:**

CSHB 2557 would provide rural school districts with a needed option for protecting schools. Unlike schools in urban areas, those in rural districts often are located far from emergency services with longer response times and fewer first responders. Rural school districts also often lack the resources of large urban districts for ensuring the safety of students, faculty, and staff.

The governor's 2018 School and Firearm Safety Action Plan recommended prioritizing recruitment of retired peace officers and military veterans. CSHB 2557 would authorize a district in a county with a population of less than 150,000 to design a plan for honorably discharged veterans or honorably retired qualified law enforcement officers to provide security to rural schools on a voluntary basis.

CSHB 2557 would give local school districts the option to allow a school security volunteer to carry a firearm but would not require they do so, and a district could choose not to arm volunteers. The bill's provision for thorough background checks and training would ensure that volunteers were fit and prepared for the job. Local boards know what is best for their schools and deserve options for providing security for children in their communities.

**CRITICS
SAY:**

CSHB 2557 could result in armed volunteers being placed inside school buildings and at school-sponsored events. While volunteers would have to be licensed to carry a handgun, they might not be familiar with district or

school policies on sensitive issues concerning student discipline. Military veterans in particular may not be a good fit for school security programs as they have not been trained to deal with students.