

## **BILL ANALYSIS**

Senate Research Center  
84R25701 GCB-F

H.B. 3596  
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Education  
5/19/2015  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties suggest that school districts are responsible for providing certain campus safety measures and that part of that responsibility is cooperating with local law enforcement to develop the measures and gathering data necessary to adequately prepare them. H.B. 3596 seeks to provide the tools necessary for school districts and their partners, including local law enforcement, to coordinate in the development of campus safety measures.

H.B. 3596 amends current law relating to public school safety and security policies, procedures, and practices.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 37.108, Education Code, by amending Subsection (a) and adding Subsection (b-1), as follows:

(a) 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. Requires that the plan address mitigation, preparedness, response, and recovery as defined by the commissioner of education or commissioner of higher education in conjunction with the governor's office of homeland security. Requires that the plan provide for, if the plan applies to a school district, establishment of memoranda of understanding and mutual aid agreements with local law enforcement and other entities with jurisdiction over emergency services provided to persons residing within the attendance boundaries of the district, and the implementation of routine campus safety and security assessments under Subsection (b-1).

(b-1) Requires each school district, in addition to conducting safety and security audits under Subsection (b) (requiring each school district or public junior college district, at least once every three years, to conduct a safety and security audit of the district's facilities), to conduct routine campus safety and security assessments throughout the school year at intervals set by the Texas School Safety Center.

SECTION 2. Amends Sections 37.1081(a) and (b), Education Code, as follows:

(a) Requires the Texas School Safety Center (center) to implement a school safety certification program. Deletes existing text requiring the Texas School Safety Center, in consultation with the School Safety Task Force established under Section 37.1082 (School Safety Task Force), to develop a school safety certification program.

(b) Requires the center to award a school safety certificate to a school district that demonstrates to the center through documentation, rather than with current written self-audit processes, that the district conducts at least one drill per year for each of certain types of drills as set forth, addresses circumstances that may be unique to the region in

which the district is located and that affect facilities and security or the safety of students, and meets any other eligibility criteria recommended by the former School Safety Task Force. Deletes existing text requiring the center to award a school safety certificate to a school district that is in compliance with Sections 37.108(b) and (c) (requiring a school district or public junior college district to report the results of the safety and security audit conducted under Subsection (b) to the district's board of trustees and, in the manner required by the center, to the center).

SECTION 3. Amends Section 37.202, Education Code, to provide that the purpose of the center is to serve as a central location for the collection of information concerning research and best practices for threat awareness, campus safety and security assessments, and cross-jurisdictional sharing of information.

SECTION 4. Amends Sections 37.203(a) and (b), Education Code, as follows:

(a) Provides that the center is advised by a board of directors composed of certain officials, including the executive director of the Texas Juvenile Justice Department, rather than the Texas Juvenile Probation Commission, or the executive director's designee, and certain members appointed by the governor with the advice and consent of the senate, including an individual who has experience and expertise in information technology security, a school district employee whose primary duty consists of managing transportation logistics for a public school district, an architect with experience in school facility design, and two members of the public who are a parent or guardian of a public school student. Deletes existing text providing that the center is advised by a board of directors composed of certain officials, including the executive commissioner of the Texas Youth Commission, or the executive commissioner's designee. Makes nonsubstantive changes.

(b) Makes conforming changes.

SECTION 5. Amends Section 37.205, Education Code, to require that the center conduct for school districts a safety training program that includes training in best practices for threat awareness, implementation of campus safety and security assessments, and cross-jurisdictional sharing of information.

SECTION 6. Amends Section 421.901, Government Code, to require the office of the governor to develop a plan for appropriate entities to use information systems that provide threat awareness information that may affect campus security and student safety in the Texas-Mexico border region and is obtained through cross-jurisdictional sharing of information, and include school security information that may be obtained through school district incident reporting, school safety audits, and campus safety and security assessments.

SECTION 7. Repealer: Section 37.1081(c) (abolishing the school safety certification program and providing that this section expires September 1, 2017), Education Code.

Repealer: Section 37.1082 (School Safety Task Force), Education Code.

SECTION 8. (a) Requires the governor, not later than February 1, 2016, to appoint new members to the board of directors of the Texas School Safety Center as required by Sections 37.203(a)(6)(I)-(K), Education Code, as added by this Act.

(b) Provides that Section 37.203, Education Code, as amended by this Act, does not affect the term of the member appointed under Section 37.203(a)(6)(F) (a teacher from a public primary or secondary school), Education Code, as amended by this Act, and serving on the board immediately before the effective date of this Act. Requires the governor, after the term of that member expires on February 1, 2016, to appoint a member who meets the requirements under Section 37.203(a)(6)(F), Education Code, as amended by this Act, to a term expiring February 1, 2017.

(c) Provides that Section 37.203, Education Code, as amended by this Act, does not affect the terms of the members appointed under Section 37.203(a)(6)(L) (two members of the public who are a parent or guardian of a public school student), Education Code, as amended by this Act, and serving on the board immediately before the effective date of this Act. Requires the governor, after the terms of those members expire, to appoint members who meet the requirements under Section 37.203(a)(6)(L), Education Code, as amended by this Act.

SECTION 9. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 10. Effective date: upon passage or September 1, 2015.