

AN ACT

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.

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

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

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 2, 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) [7] 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; [7] 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 GROUNDS. (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.

President of the Senate

Speaker of the House

I certify that H.B. No. 3 was passed by the House on April 25, 2023, by the following vote: Yeas 119, Nays 25, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3 on May 23, 2023, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3 on May 28, 2023, by the following vote: Yeas 93, Nays 49, 1 present, not voting.

Chief Clerk of the House

H.B. No. 3

I certify that H.B. No. 3 was passed by the Senate, with amendments, on May 21, 2023, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3 on May 28, 2023, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____

Date

Governor