



SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

Agenda Item Summary

Meeting Date: November 10, 2021

Agenda Section: Presentation

Agenda Item Title: School Safety and Security Committee roles and responsibilities

From: Chief of Police Eugene Tovar

Additional Presenters if Applicable:

Description: In accordance with the Texas School Safety Center, understanding the committee's role and responsibilities.

Historical Data:

Recommendation: None

Funding Budget Code and Amount: None

GUIDELINES

Purpose:

The School Safety and Security Committee is a working group of diverse individuals that serves the members of its school district or open-enrollment charter school by helping create and maintain a safe and secure school climate and culture for staff and students.

Members:

For this committee to have a significant impact upon the school's climate and culture, there is a need for representation from various perspectives on school safety and security. As a result, and to the greatest extent practicable, the committee must consist of at least the following individuals whose names are recorded in the district's multi-hazard emergency operations plan (EOP) [TEC 37.108(f)(8) and TEC 37.109(a-1)]. Charter networks may need to set these up by geographical regions to ensure appropriate representation from local responders and members.

1. The city or county's office of emergency management – at least one representative.
2. The local police department or sheriff's office – at least one representative.
3. From the board of trustees – the president and at least one other representative of the board.
4. From the district – the superintendent and at least another designee, one being a district classroom teacher.
5. Parents or guardians of currently enrolled students – at least two.
6. If the district has an instructional partnership with an open-enrollment charter school – a member of the charter schools' governing body, or their designee.
7. If the district has its own police department – at least one representative.

Responsibilities:

The committee has the following mandated responsibilities to fulfill their purpose:

1. Participate in the development and implementation of the district's emergency plans by ensuring they are consistent with the district's EOP and reflect the specific campus, facility, or support service needs that exist. [TEC 37.109(b)(1)]
2. Provide, periodically to the board of trustees and district administration, recommendations to update the district's EOP according to the best practices identified by the Texas Education Agency, the Texas School Safety Center (TxSSC), or an individual in the TxSSC's Registry. [TEC 37.109(b)(2) and TEC 37.2091]
3. Supply any campus, facility, or support services information required to the district for the completion of their safety and security audit, safety and security audit report, or any other report required to be submitted to the TxSSC. [TEC 37.109(b)(3)]
4. Review each report the district submits to the TxSSC to ensure it contains accurate and complete information regarding each campus, facility, or support service, and follows the criteria established by the TxSSC. [TEC 37.109(b)(4)]
5. Consult with local law enforcement agencies on how to increase their presence near district campuses. [TEC 37.109(b)(5)]
6. Select where bleeding control stations are to be placed in schools, ensuring they are in easily accessible areas. [TEC 38.030(a) and (b)(2) and (c)]

7. Meet together, following Government Code, Chapter 551, at least once each academic semester and during the summer. Notice of a committee meeting must be posted in the same manner as notice of a meeting of the district's board of trustees. If the district operates on a year-round system, then the committee must meet at least three times per calendar year with at least two months between meetings. Meeting dates are to be included in the district's EOP. [TEC 37.109(c) and (d), TEC 37.108(f)(8), and Government Code, Chapter 551]
8. Take training on Psychological First Aid. [TEC 37.108(f)(6)(C)(i)]

Guidance and Best Practices:

Underneath each of the mandated responsibilities is a list of actions and best practices the TxSSC recommends Districts consider for the School Safety and Security Committee.

1. Participate in the development and implementation of the district's emergency plans by ensuring they are consistent with the district's EOP and reflect the specific campus, facility, or support service needs that exist. [TEC 37.109(b)(1)]
 - The committee monitors that the district EOP is updated and that individual facilities (campuses, and non-instructional facilities) are consistent with the district plan and reflect planning around specific hazards related to the individual facilities.
 - The committee monitors that the district EOP is updated at least annually and incorporates all legislative additions.
 - The committee commits to holding after-action reviews after incidents occur and modify the EOP, if needed, based on the lessons learned after an incident.
 - The committee evaluates if drills are done at every facility, and that substitutes, as they are hired, are trained in drills and for emergency situations.
 - The committee designates district personnel to be trained in FEMA's Incident Command System (ICS) and National Incident Management System (NIMS).
 - ◆ The committee should review [the NIMS Implementation Activities for Schools and Higher Education Institutions document](#) and identify which key personnel need to be trained as listed on page 18 of the document.
 - ◆ The committee ensures that all personnel responsible for writing and developing the District Emergency Operations Plan has taken [ICS-362.a](#) (Multi-hazard Emergency Planning for Schools).
 - ◆ The committee maintains a working list of current staff trained in ICS and NIMS.
 - ◆ The committee updates the list annually.
2. Provide, periodically to the board of trustees and district administration, recommendations to update the district's EOP according to the best practices identified by the Texas Education Agency, the Texas School Safety Center (TxSSC), or an individual in the TxSSC's Registry. [TEC 37.109(b)(2) and TEC 37.2091]
 - The committee commits to report to the school board at least annually on their work, what changes have been made to the EOP, and why those changes were made.
 - The committee works to update district administration after each meeting on the progress of the committee.
3. Supply any campus, facility, or support services information required to the district for the completion of their safety and security audit, safety and security audit report, or any other report required to be submitted to the TxSSC. [TEC 37.109(b)(3)]
 - The committee informs district administrators that they can assist in providing information for the reports.
 - The committee is notified of any data or information needed to fulfill a report required to be submitted and ensure that the information is provided.

- The committee creates an inventory of personal protective equipment (PPE) and related safety equipment needed for the district.
 - ◆ The committee has a working list of all PPE needed for the district, an inventory of what is provided and used at each facility, and develops and monitors the replacement schedule of the PPE.
 - ◆ If PPE is the responsibility of another team or department, then the committee may validate the existing inventory and replacement schedule.
4. Review each report the district submits to the TxSSC to ensure it contains accurate and complete information regarding each campus, facility, or support service, and follows the criteria established by the TxSSC. [TEC 37.109(b)(4)]
- The committee reviews the audit findings and recommendations that are to be presented to the school board.
 - The committee reviews the overall audit findings, gives feedback on the recommendations, and documents the process in their agenda minutes.
 - The committee is informed by the district when the TxSSC has asked for any submissions and is informed of what the reports contain to ensure that they are current and correct.
 - Committee members take the TxSSC's EOP and School Safety Audit trainings to ensure they understand reporting criteria.
5. Consult with local law enforcement agencies on how to increase their presence near district campuses. [TEC 37.109(b)(5)]
- The committee should include this as an agenda item to ensure these discussions are being held.
 - The committee communicates with all law enforcement agencies that are responsible for responding to all district facilities (instructional and non-instructional) and invites them to be a part of the discussion.
6. Select where bleeding control stations are to be placed in schools, ensuring they are in easily accessible areas. [TEC 38.030 (a) and (b)(2) and (c)]
- The committee has a working document that lists where all bleeding control stations are placed.
 - The committee reviews these stations and placements at least annually to ensure that the placement of the stations is still optimal. The bleeding control stations, meaning more than one per campus, must be stored in easily accessible areas of the campus. One possible storage option might be where automated external defibrillators are stored.
 - The committee may verify that expiration dates have been checked, a replacement schedule exists for items, and a restock process of items is used.
 - The committee should evaluate if items, in addition to those mandated by legislation, are necessary for bleeding control kits. An example is appropriately sized tourniquets for smaller children on elementary campuses.
 - The committee reviews, and makes available, the District Traumatic Injury Response Protocol.
7. Meet together publicly, following Government Code, Chapter 551, at least once each academic semester and during the summer. Notice of a committee meeting must be posted in the same manner as notice of a meeting of the district's board of trustees. If the district operates on a year-round system, then the committee must meet at least three times per calendar year with at least two months between meetings. Meeting dates are to be included in the district's EOP. [TEC 37.109(c) and (d), TEC 37.108(f)(8), and Government Code, Chapter 551]
- The committee ensures that the meeting dates from the previous year, as required, are in the EOP.
 - The committee sets their meetings for the year and posts them as required.

- The committee works to address the responsibilities of the committee as individual agenda items throughout the year during the set meeting dates. For example: Review and update the EOP and monitor implementation.
- The committee participates in the online open meetings [training](#) from the Attorney General. The committee should take this training annually and before the first regularly scheduled Committee meeting.

8. Take training on Psychological First Aid. [TEC 37.108(f)(6)(C)(i)]

- The committee takes training from the approved list established by TEA and the TxSSC.

FREQUENTLY ASKED QUESTIONS

1. Will the district be penalized for committee members not attending meetings, particularly external committee members?

There is no penalty assessed to the district for members that do not attend, however not being able to establish a quorum would preclude the committee from being able to conduct business. While there are no legal penalties for committee members not attending, it is recommended that districts and charter schools establish a local policy or bylaws with a threshold of how many meetings a member is allowed to miss before they are replaced. This would allow for districts and charter schools to address the situation of a member not being able to consistently attend meetings so that new member can fill that role.

2. What is the TxSSC definition of a voting quorum?

The TxSSC defers to the Open Meetings Act (OMA) definition of a quorum as the majority of members on the committee. For the Safety and Security Committee this is a bit nebulous. [The Open Meetings Act Handbook 2020](#) states: “The authority vested in a governmental body may generally be exercised only at a meeting of a quorum of its members. The Code Construction Act states as follows:

- (a) A grant of authority to three or more persons as a public body confers the authority on a majority of the number of members fixed by statute.
- (b) A quorum of a public body is a majority of the number of members fixed by statute.

The Act defines ‘quorum’ as a majority of the governing body, unless otherwise defined by applicable law or the governing body’s charter.”

In the case of the Safety and Security Committee the exact number is not stated in Texas Education Code 37.109, in fact Texas Education Code 37.109(a-1) allows room for the number to be set by the district.

“The committee, **to the greatest extent practicable**, must include:

- (1) **one or more** representatives of an office of emergency management of a county or city in which the district is located;
- (2) **one or more** representatives of the local police department or sheriff’s office;
- (3) **one or more** representatives of the district’s police department, **if applicable**;
- (4) the president of the district’s board of trustees;
- (5) a member of the district’s board of trustees other than the president;
- (6) the district’s superintendent;

- (7) one or more designees of the district's superintendent, one of whom must be a classroom teacher in the district;
- (8) if the district partners with an open-enrollment charter school to provide instruction to students, a member of the open-enrollment charter school's governing body or a designee of the governing body; and
- (9) two parents or guardians of students enrolled in the district.”

As shown above, the yellow highlights indicate one or more people from those categories, while the blue highlight indicates some districts may not have a district police department. The green highlight is important because it indicates that a committee is not required to have all these categories. Since the statute states “to the greatest extent practicable” it is recommended that the district at least reach out to these individuals to see if they are willing to serve and adding them to the committee if they are.

In order to establish the committee, the district should create bylaws or policies about the duties and responsibilities of the committee as well as establishing the makeup. The policies or bylaws should stipulate the membership and to the greatest extent possible include at least one of each of the above categories, except (9), which stipulates two members from that category. The bylaws or policies should then stipulate what constitutes a quorum of that group based on the OMA definition. For example: If the committee includes ten members, then a quorum would be six members; if the committee includes fifteen members, then a quorum would be eight members.

3. Is a quorum (as defined under the OMA) required for School Safety and Security Committee meetings in order for the committee to lawfully take action, vote on items, or adjourn to closed session?

The short answer is yes. The OMA does state that in order to conduct business and vote on agenda items, you should have a voting quorum present.

In addition, TASB has released guidance on this topic: <https://www.tasb.org/services/legal-services/tasb-school-law-esource/business/documents/school-safety-and-security-committees.aspx>.

Under normal circumstances, the OMA allows for members to participate remotely in a meeting by means of a videoconference call if the video and audio feed of the member's participation is broadcast live at the meeting. This means the meeting is still scheduled at a location and at least one member is at that location conducting the meeting. Any virtual members must be visible and audible to the public. There are many nuances to this provision and the TxSSC advises reading the Open Meetings Handbook put out by the Attorney General if considering this option: https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/openmeetings_hb.pdf.