

By: Blanco

S.B. No. 168

A BILL TO BE ENTITLED

AN ACT

relating to active shooter drills conducted by public schools.

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

SECTION 1. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.1141 to read as follows:

Sec. 37.1141. ACTIVE SHOOTER DRILL REQUIREMENTS. (a)

Before a school district may conduct an active shooter drill, the district must adopt a policy on active shooter drills that complies with this section.

(b) The policy must:

(1) prohibit an active shooter drill from including simulations that mimic or appear to be an actual shooting incident;

(2) require that adequate notice of an active shooter drill be provided to parents of students expected to participate in the drill, including information regarding:

(A) the date on which the drill will occur; and

(B) the content, form, and tone of the drill;

(3) require the announcement of an active shooter drill to students and faculty before the start of the drill;

(4) establish standards regarding the content of an active shooter drill, including that the content:

(A) be age appropriate and developmentally appropriate;

(B) be developed by a team of school

1 administrators, teachers, school-based mental health  
2 professionals, and law enforcement officers, with input from  
3 parents and students; and

4 (C) incorporate trauma-informed practices to  
5 directly address the well-being of students who participate in the  
6 drill; and

7 (5) provide for the tracking of data regarding the  
8 efficacy and impact of active shooter drills conducted by the  
9 district, including any symptoms or indicators of trauma among  
10 student participants that result from such a drill.

11 SECTION 2. Section 12.104(b), Education Code, as amended by  
12 Chapters 262 (H.B. 1597), 464 (S.B. 11), 467 (H.B. 4170), and 943  
13 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, is  
14 reenacted and amended to read as follows:

15 (b) An open-enrollment charter school is subject to:

16 (1) a provision of this title establishing a criminal  
17 offense;

18 (2) the provisions in Chapter 554, Government Code;  
19 and

20 (3) a prohibition, restriction, or requirement, as  
21 applicable, imposed by this title or a rule adopted under this  
22 title, relating to:

23 (A) the Public Education Information Management  
24 System (PEIMS) to the extent necessary to monitor compliance with  
25 this subchapter as determined by the commissioner;

26 (B) criminal history records under Subchapter C,  
27 Chapter 22;

- 1 (C) reading instruments and accelerated reading  
2 instruction programs under Section 28.006;
- 3 (D) accelerated instruction under Section  
4 28.0211;
- 5 (E) high school graduation requirements under  
6 Section 28.025;
- 7 (F) special education programs under Subchapter  
8 A, Chapter 29;
- 9 (G) bilingual education under Subchapter B,  
10 Chapter 29;
- 11 (H) prekindergarten programs under Subchapter E  
12 or E-1, Chapter 29;
- 13 (I) extracurricular activities under Section  
14 33.081;
- 15 (J) discipline management practices or behavior  
16 management techniques under Section 37.0021;
- 17 (K) health and safety under Chapter 38;
- 18 (L) public school accountability under  
19 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;
- 20 (M) the requirement under Section 21.006 to  
21 report an educator's misconduct;
- 22 (N) intensive programs of instruction under  
23 Section 28.0213;
- 24 (O) the right of a school employee to report a  
25 crime, as provided by Section 37.148;
- 26 (P) bullying prevention policies and procedures  
27 under Section 37.0832;

1 (Q) the right of a school under Section 37.0052  
2 to place a student who has engaged in certain bullying behavior in a  
3 disciplinary alternative education program or to expel the student;

4 (R) the right under Section 37.0151 to report to  
5 local law enforcement certain conduct constituting assault or  
6 harassment;

7 (S) a parent's right to information regarding the  
8 provision of assistance for learning difficulties to the parent's  
9 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

10 (T) establishment of residency under Section  
11 25.001;

12 (U) [~~(T)~~] school safety requirements under  
13 Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114,  
14 37.1141, 37.115, 37.207, and 37.2071;

15 (V) [~~(T)~~] the early childhood literacy and  
16 mathematics proficiency plans under Section 11.185; and

17 (W) [~~(U)~~] the college, career, and military  
18 readiness plans under Section 11.186.

19 SECTION 3. This Act applies beginning with the 2021-2022  
20 school year.

21 SECTION 4. To the extent of any conflict, this Act prevails  
22 over another Act of the 87th Legislature, Regular Session, 2021,  
23 relating to nonsubstantive additions to and corrections in enacted  
24 codes.

25 SECTION 5. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 168

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2021.