

1-1 By: Burrows, et al. (Senate Sponsor - Nichols) H.B. No. 3
 1-2 (In the Senate - Received from the House April 26, 2023;
 1-3 May 2, 2023, read first time and referred to Committee on
 1-4 Education; May 18, 2023, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 12, Nays 0;
 1-6 May 18, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			
1-21	X			

1-22 COMMITTEE SUBSTITUTE FOR H.B. No. 3 By: Parker

1-23 A BILL TO BE ENTITLED
 1-24 AN ACT

1-25 relating to measures for ensuring public school safety, including
 1-26 the development of, implementation of, and funding for public
 1-27 school safety and security requirements and the provision of
 1-28 safety-related resources.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Section 7.028(a), Education Code, is amended to
 1-31 read as follows:

1-32 (a) Except as provided by Section 21.006(k), 22.093(l),
 1-33 22.096, 28.006, 29.001(5), 29.010(a), 33.006(h), 37.1083, 37.1084,
 1-34 38.003, or 39.003, the agency may monitor compliance with
 1-35 requirements applicable to a process or program provided by a
 1-36 school district, campus, program, or school granted charters under
 1-37 Chapter 12, including the process described by Subchapter F,
 1-38 Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or
 1-39 I, Chapter 29, or Subchapter A, Chapter 37, only as necessary to
 1-40 ensure:

- 1-41 (1) compliance with federal law and regulations;
- 1-42 (2) financial accountability, including compliance
- 1-43 with grant requirements;
- 1-44 (3) data integrity for purposes of:
 - 1-45 (A) the Public Education Information Management
 - 1-46 System (PEIMS); and
 - 1-47 (B) accountability under Chapters 39 and 39A; and
 - 1-48 (4) qualification for funding under Chapter 48.

1-49 SECTION 2. Subchapter B, Chapter 8, Education Code, is
 1-50 amended by adding Section 8.064 to read as follows:

1-51 Sec. 8.064. SCHOOL SAFETY SUPPORT. (a) A regional
 1-52 education service center shall act as a school safety resource for
 1-53 school districts and open-enrollment charter schools in the region
 1-54 served by the center. The center may assist a school district or
 1-55 open-enrollment charter school directly or in collaboration with
 1-56 the Texas School Safety Center and local law enforcement agencies,
 1-57 as applicable:

- 1-58 (1) in developing and implementing a multihazard
- 1-59 emergency operations plan under Section 37.108;
- 1-60 (2) in establishing a school safety and security

2-1 committee under Section 37.109;
2-2 (3) in conducting emergency school drills and
2-3 exercises;
2-4 (4) in addressing deficiencies in campus security
2-5 identified by a school safety review team under Section 37.1084;
2-6 and
2-7 (5) by providing guidance on any other matter relating
2-8 to school safety and security.
2-9 (b) A regional education service center shall provide
2-10 assistance as necessary to the region's school safety review team
2-11 established under Section 37.1084.
2-12 SECTION 3. Section 12.104(b), Education Code, as amended by
2-13 Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B.
2-14 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular
2-15 Session, 2021, is reenacted and amended to read as follows:
2-16 (b) An open-enrollment charter school is subject to:
2-17 (1) a provision of this title establishing a criminal
2-18 offense;
2-19 (2) the provisions in Chapter 554, Government Code;
2-20 and
2-21 (3) a prohibition, restriction, or requirement, as
2-22 applicable, imposed by this title or a rule adopted under this
2-23 title, relating to:
2-24 (A) the Public Education Information Management
2-25 System (PEIMS) to the extent necessary to monitor compliance with
2-26 this subchapter as determined by the commissioner;
2-27 (B) criminal history records under Subchapter C,
2-28 Chapter 22;
2-29 (C) reading instruments and accelerated reading
2-30 instruction programs under Section 28.006;
2-31 (D) accelerated instruction under Section
2-32 28.0211;
2-33 (E) high school graduation requirements under
2-34 Section 28.025;
2-35 (F) special education programs under Subchapter
2-36 A, Chapter 29;
2-37 (G) bilingual education under Subchapter B,
2-38 Chapter 29;
2-39 (H) prekindergarten programs under Subchapter E
2-40 or E-1, Chapter 29, except class size limits for prekindergarten
2-41 classes imposed under Section 25.112, which do not apply;
2-42 (I) extracurricular activities under Section
2-43 33.081;
2-44 (J) discipline management practices or behavior
2-45 management techniques under Section 37.0021;
2-46 (K) health and safety under Chapter 38;
2-47 (L) the provisions of Subchapter A, Chapter 39;
2-48 (M) public school accountability and special
2-49 investigations under Subchapters A, B, C, D, F, G, and J, Chapter
2-50 39, and Chapter 39A;
2-51 (N) the requirement under Section 21.006 to
2-52 report an educator's misconduct;
2-53 (O) intensive programs of instruction under
2-54 Section 28.0213;
2-55 (P) the right of a school employee to report a
2-56 crime, as provided by Section 37.148;
2-57 (Q) bullying prevention policies and procedures
2-58 under Section 37.0832;
2-59 (R) the right of a school under Section 37.0052
2-60 to place a student who has engaged in certain bullying behavior in a
2-61 disciplinary alternative education program or to expel the student;
2-62 (S) the right under Section 37.0151 to report to
2-63 local law enforcement certain conduct constituting assault or
2-64 harassment;
2-65 (T) a parent's right to information regarding the
2-66 provision of assistance for learning difficulties to the parent's
2-67 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);
2-68 (U) establishment of residency under Section
2-69 25.001;

3-1 (V) school safety requirements under Sections
 3-2 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.109,
 3-3 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071;

3-4 (W) the early childhood literacy and mathematics
 3-5 proficiency plans under Section 11.185;

3-6 (X) the college, career, and military readiness
 3-7 plans under Section 11.186; and

3-8 (Y) [~~(X)~~] parental options to retain a student
 3-9 under Section 28.02124.

3-10 SECTION 4. Subchapter 2, Chapter 22, Education Code, is
 3-11 amended by adding Section 22.904 to read as follows:

3-12 Sec. 22.904. MENTAL HEALTH FIRST AID TRAINING. (a) Except
 3-13 as otherwise provided by this section, a school district shall
 3-14 require each district employee who regularly interacts with
 3-15 students enrolled at the district to complete an evidence-based
 3-16 mental health first aid training program designed to provide
 3-17 instruction to participants regarding the recognition and support
 3-18 of children and youth who experience a mental health or substance
 3-19 use issue that may pose a threat to school safety.

3-20 (b) A school district may not require a district employee
 3-21 who has previously completed mental health first aid training
 3-22 offered by a local mental health authority under Section 1001.203,
 3-23 Health and Safety Code, to complete the training required by this
 3-24 section.

3-25 (c) The agency shall provide an allotment to each school
 3-26 district equal to the sum of the amount district employees spent on
 3-27 travel and training fees and the product of each employee's hourly
 3-28 salary multiplied by the number of hours that employee spent
 3-29 completing the training in accordance with commissioner rule to
 3-30 comply with this section. An allotment provided to a district under
 3-31 this section must be used to reimburse the employee for the cost of
 3-32 travel and training fees and to compensate the employee for the time
 3-33 spent completing the training required by this section.

3-34 (d) The State Board for Educator Certification shall
 3-35 propose rules allowing an educator to receive credit toward the
 3-36 educator's continuing education requirements under Section
 3-37 21.054(g) for the educator's participation in mental health first
 3-38 aid training under this section.

3-39 (e) The commissioner shall adopt rules to implement this
 3-40 section, including rules specifying the training fees and travel
 3-41 expenses subject to reimbursement under Subsection (c).

3-42 SECTION 5. Section 25.002(a), Education Code, is amended to
 3-43 read as follows:

3-44 (a) If a parent or other person with legal control of a child
 3-45 under a court order enrolls the child in a public school, the parent
 3-46 or other person or the school district in which the child most
 3-47 recently attended school shall furnish to the school district:

3-48 (1) the child's birth certificate or another document
 3-49 suitable as proof of the child's identity;

3-50 (2) a copy of the child's records from the school the
 3-51 child most recently attended if the child has been previously
 3-52 enrolled in a school in this state or another state, including for a
 3-53 child who most recently attended a public school in this state, a
 3-54 copy of the child's disciplinary record and any threat assessment
 3-55 involving the child's behavior conducted under Section 37.115; and

3-56 (3) a record showing that the child has the
 3-57 immunizations as required under Section 38.001, in the case of a
 3-58 child required under that section to be immunized, proof as
 3-59 required by that section showing that the child is not required to
 3-60 be immunized, or proof that the child is entitled to provisional
 3-61 admission under that section and under rules adopted under that
 3-62 section.

3-63 SECTION 6. Section 25.036, Education Code, is amended by
 3-64 adding Subsection (c) to read as follows:

3-65 (c) In the case of a transfer under this section, a child's
 3-66 school district of residence shall provide the receiving district
 3-67 with the child's disciplinary record and any threat assessment
 3-68 involving the child's behavior conducted under Section 37.115.

3-69 SECTION 7. Section 37.081, Education Code, is amended by

4-1 amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3),
4-2 and (a-4) to read as follows:

4-3 (a) The board of trustees of any school district may:

4-4 (1) employ or contract with security personnel;

4-5 (2) [~~7~~] enter into a memorandum of understanding with
4-6 a local law enforcement agency or a county or municipality that is
4-7 the employing political subdivision of commissioned peace officers
4-8 for the provision of school resource officers;

4-9 (3) for the purposes of providing security personnel,
4-10 contract with a security services contractor licensed under Chapter
4-11 1702, Occupations Code, for the provision of a commissioned
4-12 security officer, as defined by Section 1702.002, Occupations Code,
4-13 who has completed the Level II or III training course required by
4-14 the Department of Public Safety; [~~7~~] and

4-15 (4) commission peace officers to carry out this
4-16 subchapter.

4-17 (a-1) [If a board of trustees authorizes a person employed
4-18 as security personnel to carry a weapon, the person must be a
4-19 commissioned peace officer.] The jurisdiction of a peace officer,
4-20 a school resource officer, or security personnel under this section
4-21 shall be determined by the board of trustees and may include all
4-22 territory in the boundaries of the school district and all property
4-23 outside the boundaries of the district that is owned, leased, or
4-24 rented by or otherwise under the control of the school district and
4-25 the board of trustees that employ or contract with, as applicable,
4-26 the peace officer or security personnel or that enter into a
4-27 memorandum of understanding for the provision of a school resource
4-28 officer.

4-29 (a-2) A memorandum of understanding for the provision of
4-30 school resource officers entered into under Subsection (a) must:

4-31 (1) be in the form of an interlocal contract under
4-32 Chapter 791, Government Code; and

4-33 (2) use a proportionate cost allocation methodology to
4-34 address any costs or fees incurred by the school district or the
4-35 local law enforcement agency, county, or municipality, as
4-36 applicable.

4-37 (a-3) The cost allocation methodology used under Subsection
4-38 (a-2)(2) may allow a local law enforcement agency, county, or
4-39 municipality, as applicable, to recoup direct costs incurred as a
4-40 result of the contract but may not allow the agency, county, or
4-41 municipality to profit under the contract.

4-42 (a-4) A school district, local law enforcement agency,
4-43 county, or municipality that enters into a memorandum of
4-44 understanding under Subsection (a) may seek funding from federal,
4-45 state, and private sources to support the cost of providing school
4-46 resource officers under this section.

4-47 SECTION 8. Section 37.0812(a), Education Code, is amended
4-48 to read as follows:

4-49 (a) A school district peace officer or school resource
4-50 officer shall complete an active shooter response training program
4-51 approved by the Texas Commission on Law Enforcement at least once in
4-52 each four-year period.

4-53 SECTION 9. Subchapter C, Chapter 37, Education Code, is
4-54 amended by adding Section 37.089 to read as follows:

4-55 Sec. 37.089. ROLE OF PERSONS CARRYING A FIREARM ON SCHOOL
4-56 GROUND. (a) Subject to Subsection (b), a person permitted to carry
4-57 a firearm on the campus of a school district may not perform the
4-58 routine law enforcement duties of a peace officer, including making
4-59 arrests, unless the duty is performed in response to an emergency
4-60 that poses a threat of death or serious bodily injury to a student,
4-61 school district employee, or other individual at the district
4-62 campus.

4-63 (b) Subsection (a) does not apply to a commissioned peace
4-64 officer who is assigned law enforcement duties that are included in
4-65 campus and district documents describing the role of peace officers
4-66 in the district as required by Section 37.081(d).

4-67 SECTION 10. Section 37.108, Education Code, is amended by
4-68 amending Subsections (a), (b), and (f) and adding Subsection (h) to
4-69 read as follows:

5-1 (a) Each school district or public junior college district
 5-2 shall adopt and implement a multihazard emergency operations plan
 5-3 for use in the district's facilities. The plan must address
 5-4 prevention, mitigation, preparedness, response, and recovery as
 5-5 defined by the Texas School Safety Center in conjunction with the
 5-6 governor's office of homeland security, ~~and~~ the commissioner of
 5-7 education, and the ~~or~~ commissioner of higher education~~, as~~
 5-8 ~~applicable~~. The plan must provide for:

5-9 (1) training in responding to an emergency for
 5-10 district employees, including substitute teachers;

5-11 (2) measures to ensure district employees, including
 5-12 substitute teachers, have classroom access to a telephone,
 5-13 including a cellular telephone, or another electronic
 5-14 communication device allowing for immediate contact with district
 5-15 emergency services or emergency services agencies, law enforcement
 5-16 agencies, health departments, and fire departments;

5-17 (3) measures to ensure district communications
 5-18 technology and infrastructure are adequate to allow for
 5-19 communication during an emergency;

5-20 (4) if the plan applies to a school district,
 5-21 mandatory school drills and exercises, including drills required
 5-22 under Section 37.114, to prepare district students and employees
 5-23 for responding to an emergency;

5-24 (5) measures to ensure coordination with the
 5-25 Department of State Health Services and local emergency management
 5-26 agencies, law enforcement, health departments, and fire
 5-27 departments in the event of an emergency; ~~and~~

5-28 (6) the implementation of a safety and security audit
 5-29 as required by Subsection (b); and

5-30 (7) any other requirements established by the Texas
 5-31 School Safety Center in consultation with the agency.

5-32 (b) At least once every three years, each school district or
 5-33 public junior college district shall conduct a safety and security
 5-34 audit of the district's facilities. A ~~To the extent possible, a~~
 5-35 district shall follow safety and security audit procedures
 5-36 developed by the Texas School Safety Center in coordination with
 5-37 the commissioner of education or commissioner of higher education,
 5-38 as applicable, or a person included in the registry established by
 5-39 the Texas School Safety Center under Section 37.2091.

5-40 (f) A school district shall include in its multihazard
 5-41 emergency operations plan:

5-42 (1) a chain of command that designates the individual
 5-43 responsible for making final decisions during a disaster or
 5-44 emergency situation and identifies other individuals responsible
 5-45 for making those decisions if the designated person is unavailable;

5-46 (2) provisions that address physical and
 5-47 psychological safety for responding to a natural disaster, active
 5-48 shooter, and any other dangerous scenario identified for purposes
 5-49 of this section by the agency or the Texas School Safety Center;

5-50 (3) provisions for ensuring the safety of students in
 5-51 portable buildings;

5-52 (4) provisions for ensuring that students and district
 5-53 personnel with disabilities are provided equal access to safety
 5-54 during a disaster or emergency situation;

5-55 (5) provisions for providing immediate notification
 5-56 to parents, guardians, and other persons standing in parental
 5-57 relation in circumstances involving a significant threat to the
 5-58 health or safety of students, including identification of the
 5-59 individual with responsibility for overseeing the notification;

5-60 (6) provisions for supporting the psychological
 5-61 safety of students, district personnel, and the community during
 5-62 the response and recovery phase following a disaster or emergency
 5-63 situation that:

5-64 (A) are aligned with best practice-based
 5-65 programs and research-based practices recommended under Section
 5-66 38.351;

5-67 (B) include strategies for ensuring any required
 5-68 professional development training for suicide prevention and
 5-69 grief-informed and trauma-informed care is provided to appropriate

6-1 school personnel;

6-2 (C) include training on integrating

6-3 psychological safety and suicide prevention strategies into the

6-4 district's plan, such as psychological first aid for schools

6-5 training, from an approved list of recommended training established

6-6 by the commissioner and Texas School Safety Center for:

6-7 (i) members of the district's school safety

6-8 and security committee under Section 37.109;

6-9 (ii) district school counselors and mental

6-10 health professionals; and

6-11 (iii) educators and other district

6-12 personnel as determined by the district;

6-13 (D) include strategies and procedures for

6-14 integrating and supporting physical and psychological safety that

6-15 align with the provisions described by Subdivision (2); and

6-16 (E) implement trauma-informed policies;

6-17 (7) a policy for providing a substitute teacher access

6-18 to school campus buildings and materials necessary for the

6-19 substitute teacher to carry out the duties of a district employee

6-20 during an emergency or a mandatory emergency drill; ~~and~~

6-21 (8) the name of each individual on the district's

6-22 school safety and security committee established under Section

6-23 37.109 and the date of each committee meeting during the preceding

6-24 year; and

6-25 (9) certification that the district is in compliance

6-26 with Section 37.116, requiring the district to provide the

6-27 Department of Public Safety, local law enforcement agencies, and

6-28 emergency first responders with an accurate map for all district

6-29 campuses and school buildings.

6-30 (h) The Texas School Safety Center and the agency shall

6-31 provide school safety-related data collected by the center or

6-32 agency to each other on request.

6-33 SECTION 11. Section 37.1081(a), Education Code, is amended

6-34 to read as follows:

6-35 (a) If the board of trustees of a school district receives

6-36 notice of noncompliance under Section 37.207(e) or 37.2071(d) or

6-37 (g) [~~37.2071(g)~~], the board shall hold a public hearing to notify

6-38 the public of:

6-39 (1) the district's failure to:

6-40 (A) submit or correct deficiencies in a

6-41 multihazard emergency operations plan; or

6-42 (B) report the results of a safety and security

6-43 audit to the Texas School Safety Center as required by law;

6-44 (2) the dates during which the district has not been in

6-45 compliance; and

6-46 (3) the names of each member of the board of trustees

6-47 and the superintendent serving in that capacity during the dates

6-48 the district was not in compliance.

6-49 SECTION 12. Subchapter D, Chapter 37, Education Code, is

6-50 amended by adding Sections 37.1083, 37.1084, 37.1085, and 37.1131

6-51 to read as follows:

6-52 Sec. 37.1083. AGENCY MONITORING OF SCHOOL DISTRICT SAFETY

6-53 AND SECURITY REQUIREMENTS. (a) The agency shall monitor the

6-54 implementation and operation of requirements related to school

6-55 district safety and security, including school district:

6-56 (1) multihazard emergency operations plans; and

6-57 (2) safety and security audits.

6-58 (b) The agency shall establish an office of school safety

6-59 and security within the agency that consists of individuals with

6-60 substantial expertise and experience in school or law enforcement

6-61 safety and security operations and oversight at the local, state,

6-62 or federal level to coordinate the agency's monitoring of school

6-63 district safety and security requirements under this section. The

6-64 director of the office is appointed by the governor and confirmed by

6-65 the senate and must report directly to the commissioner.

6-66 (c) The agency shall, in coordination with the Texas School

6-67 Safety Center, provide technical assistance to school districts to

6-68 support the implementation and operation of safety and security

6-69 requirements.

7-1 (d) As part of the technical assistance provided under
 7-2 Subsection (c), the agency shall conduct a detailed vulnerability
 7-3 assessment of each school district on a random basis determined by
 7-4 the agency once every four years. The assessment must:

7-5 (1) assess facility access controls, emergency
 7-6 operations procedures, and other school safety requirements; and
 7-7 (2) to the greatest extent practicable, coincide with
 7-8 the safety and security audit required under Section 37.108.

7-9 (e) The agency shall use a rubric developed by the office of
 7-10 school safety and security in collaboration with the Texas School
 7-11 Safety Center to conduct a vulnerability assessment of a school
 7-12 district under Subsection (d).

7-13 (f) On completion of a vulnerability assessment under
 7-14 Subsection (d), the agency shall provide to the superintendent and
 7-15 school safety and security committee established under Section
 7-16 37.109 for the applicable school district a report on the results of
 7-17 the assessment that includes recommendations and required
 7-18 corrective actions to address any deficiencies in campus security
 7-19 identified by the agency.

7-20 (g) The agency may engage a third party as necessary to
 7-21 enable the agency to monitor the implementation and operation of
 7-22 school district safety and security requirements under this
 7-23 section.

7-24 (h) The agency may require a school district to submit
 7-25 information necessary for the agency to monitor the implementation
 7-26 and operation of school district safety and security requirements
 7-27 under this section, including:

7-28 (1) notice of an event requiring a district's
 7-29 emergency response including the discovery of a firearm on a
 7-30 campus; and

7-31 (2) information regarding the district's response and
 7-32 use of emergency operations procedures during an event described by
 7-33 Subdivision (1).

7-34 (i) The agency may review school district records as
 7-35 necessary to ensure compliance with this subchapter and Subchapter
 7-36 G.

7-37 (j) Any document or information collected, identified,
 7-38 developed, or produced relating to the monitoring of school
 7-39 district safety and security requirements under this section is
 7-40 confidential under Sections 418.177 and 418.181, Government Code,
 7-41 and not subject to disclosure under Chapter 552, Government Code.

7-42 (k) The commissioner may adopt rules as necessary to
 7-43 administer this section.

7-44 Sec. 37.1084. REGIONAL SCHOOL SAFETY REVIEW TEAMS. (a) In
 7-45 this section:

7-46 (1) "Office" means the office of school safety and
 7-47 security established under Section 37.1083.

7-48 (2) "Team" means a school safety review team
 7-49 established under this section.

7-50 (b) The office shall establish a school safety review team
 7-51 in each region served by a regional education service center. A
 7-52 team shall annually conduct on-site general intruder detection
 7-53 audits of school district campuses in the team's region. In
 7-54 conducting an intruder detection audit, a team must:

7-55 (1) use a rubric developed by the office in
 7-56 consultation with the Texas School Safety Center;

7-57 (2) not later than the seventh day before the date of a
 7-58 scheduled audit, notify the superintendent of the school district
 7-59 in which the campus being audited is located; and

7-60 (3) on completion of the audit, provide to the
 7-61 superintendent and school safety and security committee
 7-62 established under Section 37.109 for the school district in which
 7-63 the campus is located a report on the results of the audit that
 7-64 includes recommendations and required corrective actions to
 7-65 address any deficiencies in campus security identified by the team.

7-66 (c) A regional education service center shall provide
 7-67 support as necessary to assist the region's team in conducting
 7-68 intruder detection audits under this section.

7-69 (d) A report produced by a team under this section is

8-1 confidential and not subject to disclosure under Chapter 552,
 8-2 Government Code.

8-3 Sec. 37.1085. ASSIGNMENT OF CONSERVATOR FOR NONCOMPLIANCE
 8-4 WITH SCHOOL SAFETY AND SECURITY REQUIREMENTS. (a) The
 8-5 commissioner may assign a conservator under Chapter 39A if a school
 8-6 district fails to:

8-7 (1) submit to any required monitoring, assessment, or
 8-8 audit under Section 37.1083 or 37.1084;

8-9 (2) comply with applicable safety and security
 8-10 requirements; or

8-11 (3) address in a reasonable time period, as determined
 8-12 by commissioner rule, issues raised by the agency's monitoring,
 8-13 assessment, or audit of the district under Section 37.1083 or
 8-14 37.1084.

8-15 (b) A conservator assigned to a district under this section
 8-16 may exercise the powers and duties of a conservator under Section
 8-17 39A.003 only to correct a failure identified under Subsection (a).

8-18 Sec. 37.1131. NOTIFICATION REGARDING VIOLENT ACTIVITY. (a)
 8-19 The agency shall develop model standards for providing notice
 8-20 regarding violent activity that has occurred or is being
 8-21 investigated at a school district campus or other district facility
 8-22 or at a district-sponsored activity to parents, guardians, and
 8-23 other persons standing in parental relation to students who are
 8-24 assigned to the campus, regularly use the facility, or are
 8-25 attending the activity, as applicable. The standards must:

8-26 (1) include electronic notification through text
 8-27 messaging and e-mail;

8-28 (2) provide an option for real-time notification; and

8-29 (3) protect student privacy.

8-30 (b) Each school district shall adopt a policy for providing
 8-31 notice described by Subsection (a) in a manner that meets the
 8-32 standards adopted under that subsection.

8-33 SECTION 13. Section 37.115, Education Code, is amended by
 8-34 amending Subsection (c) and adding Subsection (j-1) to read as
 8-35 follows:

8-36 (c) The board of trustees of each school district shall
 8-37 establish a threat assessment and safe and supportive school team
 8-38 to serve at each campus of the district and shall adopt policies and
 8-39 procedures for the teams. The team is responsible for developing
 8-40 and implementing the safe and supportive school program under
 8-41 Subsection (b) at the district campus served by the team. The
 8-42 policies and procedures adopted under this section must:

8-43 (1) be consistent with the model policies and
 8-44 procedures developed by the Texas School Safety Center;

8-45 (2) require each team to complete training provided by
 8-46 the Texas School Safety Center or a regional education service
 8-47 center regarding evidence-based threat assessment programs; ~~and~~

8-48 (3) require each team established under this section
 8-49 to report the information required under Subsection (k) regarding
 8-50 the team's activities to the agency; and

8-51 (4) require each district campus to establish a clear
 8-52 procedure for a student to report concerning behavior exhibited by
 8-53 another student for assessment by the team or other appropriate
 8-54 school employee.

8-55 (j-1) Materials and information provided to or produced by a
 8-56 team during a threat assessment of a student under this section must
 8-57 be maintained in the student's school record until the student's
 8-58 24th birthday.

8-59 SECTION 14. Subchapter D, Chapter 37, Education Code, is
 8-60 amended by adding Section 37.116 to read as follows:

8-61 Sec. 37.116. EMERGENCY RESPONSE MAP. Each school district
 8-62 and open-enrollment charter school shall provide to the Department
 8-63 of Public Safety and all appropriate local law enforcement agencies
 8-64 and emergency first responders an accurate map of each district
 8-65 campus and school building.

8-66 SECTION 15. Sections 37.2071(b), (c), (d), (f), (g), and
 8-67 (h), Education Code, are amended to read as follows:

8-68 (b) A school district or public junior college district
 8-69 shall submit its multihazard emergency operations plan to the

9-1 center;

9-2 (1) not later than the 30th day after the date [on
9-3 request of] the center requests the submission; and
9-4 (2) in accordance with the center's review cycle
9-5 developed under Subsection (a).
9-6 (c) The center shall review each district's multihazard
9-7 emergency operations plan submitted under Subsection (b) and:
9-8 (1) verify the plan meets the requirements of Section
9-9 37.108; or
9-10 (2) provide the district with written notice:
9-11 (A) describing the plan's deficiencies; ~~and~~
9-12 (B) including specific recommendations to
9-13 correct the deficiencies; and
9-14 (C) stating that the district must correct the
9-15 deficiencies in its plan and resubmit the revised plan to the
9-16 center.
9-17 (d) If a district fails to submit its multihazard emergency
9-18 operations plan to the center for review following a notification
9-19 by the center that the district has failed to submit the district's
9-20 plan, the center shall provide the district with written notice
9-21 stating that the district must hold a public hearing under Section
9-22 37.1081[+]
9-23 ~~[(1) has failed to submit a plan; and~~
9-24 ~~[(2) must submit a plan to the center for review and~~
9-25 ~~verification].~~
9-26 (f) If one month [three months] after the date of initial
9-27 notification of a plan's deficiencies under Subsection (c)(2) ~~[or~~
9-28 ~~failure to submit a plan under Subsection (d)]~~ a district has not
9-29 corrected the plan deficiencies ~~[or has failed to submit a plan]~~,
9-30 the center shall provide written notice to the district and agency
9-31 that the district has not complied with the requirements of this
9-32 section and must comply immediately.
9-33 (g) If a school district still has not corrected the plan
9-34 deficiencies three [or has failed to submit a plan six] months after
9-35 the date of initial notification under Subsection (c)(2) ~~[or (d)]~~,
9-36 the center shall provide written notice to the school district
9-37 stating that the district must hold a public hearing under Section
9-38 37.1081.
9-39 (h) If a school district has failed to submit a plan, the
9-40 notice required by Subsection (d) ~~[(g)]~~ must state that the
9-41 commissioner is authorized to appoint a conservator under Section
9-42 37.1082.
9-43 SECTION 16. Section 37.2091, Education Code, is amended by
9-44 adding Subsection (b-1) to read as follows:
9-45 (b-1) A school district must confirm that a person is
9-46 included in the registry established under Subsection (b) before
9-47 the district may engage the person to provide school safety or
9-48 security consulting services to the district.
9-49 SECTION 17. Subchapter G, Chapter 37, Education Code, is
9-50 amended by adding Sections 37.221 and 37.222 to read as follows:
9-51 Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) At least
9-52 once every five years, the center shall review the building
9-53 standards for instructional facilities adopted under Section 7.061
9-54 and make recommendations to the commissioner regarding any changes
9-55 necessary to ensure that the building standards reflect best
9-56 practices for student safety.
9-57 (b) The commissioner shall coordinate with municipalities
9-58 and counties as necessary to align building code requirements with
9-59 building standards recommended under Subsection (a) for purposes of
9-60 ensuring compliance with those standards.
9-61 Sec. 37.222. RESOURCES ON SAFE FIREARM STORAGE. (a) The
9-62 center, in collaboration with the Department of Public Safety,
9-63 shall provide to each school district and open-enrollment charter
9-64 school information and other resources regarding the safe storage
9-65 of firearms for distribution by the district or school under
9-66 Subsection (b), including information on:
9-67 (1) the offense under Section 46.13, Penal Code; and
9-68 (2) ways in which parents and guardians can
9-69 effectively prevent children from accessing firearms.

10-1 (b) Each school district and open-enrollment charter school
 10-2 shall provide the information and other resources described under
 10-3 Subsection (a) to the parent or guardian of each student enrolled in
 10-4 the district or school.

10-5 SECTION 18. Section 38.022, Education Code, is amended by
 10-6 amending Subsection (a) and adding Subsection (a-1) to read as
 10-7 follows:

10-8 (a) A school district may require a person who enters
 10-9 property under the district's control [a district campus] to
 10-10 display the person's driver's license, [or] another form of
 10-11 identification containing the person's photograph issued by a
 10-12 governmental entity, or, if applicable, the person's district
 10-13 employee or student identification card. The person must provide
 10-14 the identification on request.

10-15 (a-1) A school district may eject a person from district
 10-16 property if:

10-17 (1) the person refuses or fails to provide on request
 10-18 identification described by Subsection (a); and

10-19 (2) it reasonably appears that the person has no
 10-20 legitimate reason to be on district property.

10-21 SECTION 19. Subchapter E, Chapter 45, Education Code, is
 10-22 amended by adding Section 45.1011 to read as follows:

10-23 Sec. 45.1011. USE OF BOND PROCEEDS FOR SCHOOL SAFETY
 10-24 COMPLIANCE. (a) The proceeds of bonds issued by school districts
 10-25 for the construction and equipment of school buildings in the
 10-26 district and the purchase of the necessary sites for school
 10-27 buildings may be used to pay the costs associated with complying
 10-28 with school safety and security requirements for school facilities.

10-29 (b) This subsection applies to a school district that is
 10-30 determined by the agency, through the agency's monitoring of safety
 10-31 and security requirements under Section 37.1083, to not be in
 10-32 compliance with those requirements. Notwithstanding any other law,
 10-33 a school district to which this subsection applies must use the
 10-34 proceeds of bonds described by Subsection (a) to achieve compliance
 10-35 with applicable safety and security requirements before the
 10-36 district may use those proceeds for any other authorized purpose.

10-37 SECTION 20. Section 48.115, Education Code, is amended by
 10-38 amending Subsections (a) and (b) and adding Subsections (a-1),
 10-39 (b-1), (c-1), and (e) to read as follows:

10-40 (a) Except as provided by Subsection (a-1), [From funds
 10-41 appropriated for that purpose, the commissioner shall provide to] a
 10-42 school district is entitled to an annual allotment equal to the sum
 10-43 of the following amounts or a greater [in the] amount provided by
 10-44 appropriation:

10-45 (1) \$10 for each student in average daily attendance,
 10-46 plus \$1 for each student in average daily attendance per every \$50
 10-47 by which the district's maximum basic allotment under Section
 10-48 48.051 exceeds \$6,160, prorated as necessary; and

10-49 (2) \$15,000 per campus.

10-50 (a-1) A school district campus that provides only virtual
 10-51 instruction or utilizes only facilities not subject to the
 10-52 district's control is not included for purposes of determining a
 10-53 school district's allotment under Subsection (a).

10-54 (b) Funds allocated under this section must be used to
 10-55 improve school safety and security, including costs associated
 10-56 with:

10-57 (1) securing school facilities, including:

10-58 (A) improvements to school infrastructure;

10-59 (B) the use or installation of physical barriers;

10-60 and

10-61 (C) the purchase and maintenance of:

10-62 (i) security cameras or other security
 10-63 equipment; and

10-64 (ii) technology, including communications
 10-65 systems or devices, that facilitates communication and information
 10-66 sharing between students, school personnel, and first responders in
 10-67 an emergency;

10-68 (2) providing security for the district, including:

10-69 (A) employing school district peace officers,

11-1 private security officers, and school marshals; and
11-2 (B) collaborating with local law enforcement
11-3 agencies, such as entering into a memorandum of understanding for
11-4 the assignment of school resource officers to schools in the
11-5 district;

11-6 (3) school safety and security measures [~~training and~~
11-7 ~~planning~~], including:

11-8 (A) active shooter and emergency response
11-9 training;

11-10 (B) prevention and treatment programs relating
11-11 to addressing adverse childhood experiences; and

11-12 (C) the prevention, identification, and
11-13 management of emergencies and threats, using evidence-based,
11-14 effective prevention practices and including:

11-15 (i) providing licensed counselors, social
11-16 workers, and individuals trained in restorative discipline and
11-17 restorative justice practices;

11-18 (ii) providing mental health personnel and
11-19 support;

11-20 (iii) providing behavioral health
11-21 services;

11-22 (iv) establishing threat reporting
11-23 systems; and

11-24 (v) developing and implementing programs
11-25 focused on restorative justice practices, culturally relevant
11-26 instruction, and providing mental health support; [~~and~~]

11-27 (4) providing programs related to suicide prevention,
11-28 intervention, and postvention; and

11-29 (5) employing a school safety director and other
11-30 personnel to manage and monitor school safety initiatives and the
11-31 implementation of school safety requirements for the district.

11-32 (b-1) The agency may designate certain technologies that a
11-33 school district, in using funds allocated under this section, may
11-34 purchase only from a vendor approved by the agency.

11-35 (c-1) The agency, or if designated by the agency, the Texas
11-36 School Safety Center, shall establish and publish a directory of
11-37 approved vendors of school safety technology and equipment a school
11-38 district may select from when using funds allocated under this
11-39 section. If a school district uses funds allocated under this
11-40 section to purchase technology or equipment from a vendor that is
11-41 not included in the directory, the district must solicit bids from
11-42 at least three vendors before completing the purchase.

11-43 (e) Notwithstanding any other law, a school district may use
11-44 funds allocated under this section to provide training to a person
11-45 authorized by the district to carry a firearm on a district campus.

11-46 SECTION 21. Subchapter B, Chapter 85, Local Government
11-47 Code, is amended by adding Section 85.024 to read as follows:

11-48 Sec. 85.024. SCHOOL SAFETY MEETINGS. (a) The sheriff of a
11-49 county with a total population of less than 350,000 in which a
11-50 public school is located shall call and conduct semiannual meetings
11-51 to discuss:

11-52 (1) school safety;

11-53 (2) coordinated law enforcement response to school
11-54 violence incidents;

11-55 (3) law enforcement agency capabilities;

11-56 (4) available resources;

11-57 (5) emergency radio interoperability;

11-58 (6) chain of command planning; and

11-59 (7) other related subjects proposed by a person in
11-60 attendance at the meeting.

11-61 (b) The sheriff of a county to which this section applies in
11-62 which more than one public school is located is only required to
11-63 hold one semiannual meeting described by Subsection (a). This
11-64 subsection does not require public schools located within the same
11-65 county to adopt the same school safety policies.

11-66 (c) The following persons shall attend a meeting called
11-67 under Subsection (a):

11-68 (1) the sheriff or the sheriff's designee;

11-69 (2) the police chief of a municipal police department

12-1 in the county or the police chief's designee;
12-2 (3) each elected constable in the county or the
12-3 constable's designees;
12-4 (4) each police chief of a school district's police
12-5 department or school district security coordinator from each school
12-6 district located in the county;
12-7 (5) a representative of the Department of Public
12-8 Safety assigned to the county;
12-9 (6) a representative of each other state agency with
12-10 commissioned peace officers assigned to the county;
12-11 (7) a person appointed to a command staff position at
12-12 an emergency medical service in the county;
12-13 (8) a person appointed to a command staff position at a
12-14 municipal emergency medical service in the county;
12-15 (9) a person appointed to a command staff position at a
12-16 fire department in the county;
12-17 (10) the superintendent or the superintendent's
12-18 designee of each school district located in the county;
12-19 (11) the person who serves the function of
12-20 superintendent, or that person's designee, in each open-enrollment
12-21 charter school located in the county; and
12-22 (12) any other person the sheriff considers
12-23 appropriate.
12-24 (d) The sheriff shall invite any federal law enforcement
12-25 official serving in the county to attend the meeting.
12-26 (e) As soon as practicable after a meeting under Subsection
12-27 (a), the sheriff shall submit a report to the Texas School Safety
12-28 Center identifying the attendees of the meeting and the subjects
12-29 discussed. The Texas School Safety Center shall maintain the report
12-30 and make it publicly available on the center's Internet website.
12-31 The center may not make publicly available and shall redact any
12-32 parts of a report that the center determines may expose a safety
12-33 vulnerability of a school district facility.
12-34 SECTION 22. (a) As soon as practicable after the effective
12-35 date of this Act, the Texas Education Agency shall establish the
12-36 office of school safety and security and the governor shall appoint
12-37 the director of that office as required by Section 37.1083,
12-38 Education Code, as added by this Act.
12-39 (b) As soon as practicable after the office of school safety
12-40 and security has been established, the office shall establish
12-41 school safety review teams in each region served by a regional
12-42 education service center as required by Section 37.1084, Education
12-43 Code, as added by this Act.
12-44 SECTION 23. Section 45.1011, Education Code, as added by
12-45 this Act, applies only to a bond authorized to be issued at an
12-46 election held on or after the effective date of this Act.
12-47 SECTION 24. To the extent of any conflict, this Act prevails
12-48 over another Act of the 88th Legislature, Regular Session, 2023,
12-49 relating to nonsubstantive additions to and corrections in enacted
12-50 codes.
12-51 SECTION 25. (a) Section 7.028 and Chapter 37, Education
12-52 Code, as amended by this Act, apply beginning with the 2023-2024
12-53 school year.
12-54 (b) Notwithstanding Section 22.904, Education Code, as
12-55 added by this Act, a school district must require the district's
12-56 employees to complete the mental health first aid training required
12-57 under that section as follows:
12-58 (1) at least 25 percent of the applicable district
12-59 employees before the beginning of the 2025-2026 school year;
12-60 (2) at least 50 percent of the applicable district
12-61 employees before the beginning of the 2026-2027 school year;
12-62 (3) at least 75 percent of the applicable district
12-63 employees before the beginning of the 2027-2028 school year; and
12-64 (4) 100 percent of the applicable district employees
12-65 before the beginning of the 2028-2029 school year.
12-66 SECTION 26. (a) Except as provided by Subsection (b) of
12-67 this section, this Act takes effect immediately if it receives a
12-68 vote of two-thirds of all the members elected to each house, as
12-69 provided by Section 39, Article III, Texas Constitution. If this

13-1 Act does not receive the vote necessary for immediate effect, this
13-2 Act takes effect September 1, 2023.
13-3 (b) Section [48.115](#), Education Code, as amended by this Act,
13-4 takes effect September 1, 2023.

13-5

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