

By: West, Blanco

S.B. No. 1664

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the school safety technical advisory committee and the school safety accountability program.

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

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

SUBCHAPTER H. SCHOOL SAFETY ACCOUNTABILITY PROGRAM

Sec. 37.251. DEFINITIONS. In this subchapter:

(1) "Advisory committee" means the school safety technical advisory committee established under Section 37.252.

(2) "Chief of school safety and security" means the individual appointed by the governor as chief of school safety and security for the agency.

(3) "Law enforcement leadership officer" means:

(A) the chief of police of a school district police department;

(B) the chief or deputy chief of police of a municipality;

(C) a sheriff;

(D) a constable; or

(E) a highway patrol officer:

(i) designated by the public safety director of the Department of Public Safety; and

(ii) who holds a rank of lieutenant or

1 higher.

2 (4) "Program" means the school safety accountability  
3 program established under this subchapter.

4 (5) "School exterior" means the outer walls, doors,  
5 and windows of a school district or open-enrollment charter school  
6 facility.

7 (6) "School guardian" means a person who, pursuant to  
8 the written regulations or written authorization of a school  
9 district or open-enrollment charter school under Section  
10 46.03(a)(1)(A), Penal Code, is authorized to carry or possess a  
11 specified weapon for the purpose of providing safety and security  
12 on the physical premises of a school, any grounds or building on  
13 which an activity sponsored by a school is being conducted, or a  
14 passenger transportation vehicle of a school.

15 (7) "School interior" means the area inside of a  
16 school district or open-enrollment charter school facility's outer  
17 walls, including the facility's interior doors.

18 (8) "School perimeter" means the boundaries of the  
19 real property or site on which a school district or open-enrollment  
20 charter school campus is located.

21 (9) "School safety rating" means a school safety  
22 accountability rating assigned under Section 37.257 to a school  
23 district or open-enrollment charter school campus based on the  
24 campus's school safety score.

25 (10) "School safety score" means the numeric school  
26 safety score assigned to a school district or open-enrollment  
27 charter school campus under Section 37.254.

1 Sec. 37.252. SCHOOL SAFETY TECHNICAL ADVISORY COMMITTEE.

2 (a) The agency shall establish the school safety technical  
3 advisory committee to advise the agency regarding the school safety  
4 accountability program established under this subchapter. The  
5 committee is composed of:

6 (1) the following six members, with the governor, the  
7 lieutenant governor, and the speaker of the house of  
8 representatives each appointing two members chosen from among the  
9 following three categories:

10 (A) public school superintendents;

11 (B) law enforcement leadership officers; and

12 (C) persons serving in a school safety leadership  
13 capacity other than as a law enforcement leadership officer; and

14 (2) four additional members appointed by the  
15 commissioner, including, from either a school district or  
16 open-enrollment charter school, at least one member who is a  
17 teacher, at least one principal of an elementary school campus, and  
18 at least one principal of a high school campus.

19 (b) An individual may not be appointed under Subsection (a)  
20 to serve on the committee as a law enforcement leadership officer  
21 unless the individual has completed the initial training program  
22 required by police chiefs under Section 96.641 and any continuing  
23 education required for police chiefs under that section.

24 (c) A committee member serves a two-year term and may be  
25 reappointed.

26 Sec. 37.253. ESTABLISHMENT OF PROGRAM. (a) The agency  
27 shall establish a school safety accountability program to ensure

1 school district and open-enrollment charter school campuses  
2 provide safe and secure environments.

3 (b) The chief of school safety and security shall oversee  
4 and administer the program.

5 (c) The chief of school safety and security may lower a  
6 school district's or open-enrollment charter school's school safety  
7 score or school safety rating on a determination that the  
8 district's or school's score as reported under Section 37.254 is  
9 substantially inaccurate. A decision by the chief of school safety  
10 and security under this subsection is final and not subject to  
11 appeal.

12 Sec. 37.254. SCHOOL SAFETY SCORE. (a) Not later than  
13 January 30 of each year, the agency shall assign each school  
14 district and open-enrollment charter school campus a school safety  
15 score. The school safety score must be:

16 (1) a number between zero and 100, with 100  
17 representing a perfect score; and

18 (2) based on an audit of campus school safety  
19 conducted by the district or school applying the metrics of  
20 assessment developed under Section 37.255.

21 (b) Each school district and open-enrollment charter school  
22 shall annually conduct an audit of the safety of each campus of the  
23 district or school applying the metrics of assessment developed  
24 under Section 37.255 to assign a school safety score to each campus.  
25 The district or school shall submit the campus school safety score  
26 assigned for each campus under this subsection to the agency in the  
27 manner and form required by the commissioner.

1       (c) The agency shall keep confidential each campus school  
2 safety score assigned to a school campus under this section,  
3 including the application of each metric to that campus used in  
4 determining the score.

5       Sec. 37.255. METRICS OF ASSESSMENT. (a) The agency, in  
6 consultation with the advisory committee, the Texas School Safety  
7 Center, the Advanced Law Enforcement Rapid Response Training Center  
8 at Texas State University--San Marcos, and other appropriate  
9 stakeholders designated by the commissioner, shall develop  
10 criteria for metrics of assessment to be applied in calculating a  
11 school safety score under Section 37.254 for each school district  
12 and open-enrollment charter school campus.

13       (b) Except as provided by Subsection (d), the metrics of  
14 assessment must, with respect to each school district and  
15 open-enrollment charter school campus:

16               (1) evaluate separately each school perimeter,  
17 exterior, and interior at the district or school; and

18               (2) include metrics for evaluating:

19                       (A) whether all classroom and exterior doors  
20 lock;

21                       (B) the type and location of exterior cameras  
22 installed at the campus;

23                       (C) the type and location of interior cameras  
24 installed at the campus;

25                       (D) the features of any school safety Internet  
26 application used by the school, including if:

27                               (i) a school lockdown or threat

1 automatically triggers the application to call or make a digital  
2 directive announcement to the local 9-1-1 emergency call center;  
3 (ii) the application integrates with  
4 information reported through the Public Education Information  
5 Management System (PEIMS); or  
6 (iii) the application integrates with the  
7 health information of school staff and students as necessary for  
8 providing effective emergency medical treatment following a  
9 disaster or emergency situation, including a staff member's or  
10 student's blood type, medication allergies, and significant  
11 diseases or health conditions;  
12 (E) the frequency and type of active shooter and  
13 other disaster drills;  
14 (F) the security of exterior gates and fencing;  
15 (G) the ease of access to the campus for an  
16 intruder;  
17 (H) safety procedures for student pick-up and  
18 drop-off at the campus;  
19 (I) the safety of campus parking lots used by  
20 visitors and faculty;  
21 (J) severe weather and disaster alerts and  
22 preparedness;  
23 (K) the availability of devices allowing for  
24 two-way communication between campus administrators or campus  
25 police, if applicable, and each classroom;  
26 (L) the safety and storage of firearms at each  
27 campus;

1           (M) the provision of security services at each  
2 campus for which a school marshal is appointed or at which a school  
3 guardian is authorized;

4           (N) for a campus at which a school resource  
5 officer is assigned, coverage of school resource officers;

6           (O) for a campus at which peace officers  
7 commissioned and employed by the district or school provide  
8 services, data related to commissioned district or school peace  
9 officers, including demographic information and information  
10 concerning training and experience;

11           (P) information regarding the campus reported to  
12 the agency under Section 38.0141; and

13           (Q) any other safety criteria required by the  
14 agency.

15           (c) In developing criteria for the metrics of assessment  
16 under Subsection (a), the agency shall account for differences  
17 among school district and open-enrollment charter school campuses,  
18 including by differentiating how metrics evaluated under  
19 Subsection (b)(2) are applied among campuses that:

20           (1) are located in rural, urban, or suburban areas;

21           (2) have older or more recently constructed  
22 facilities; and

23           (3) have or do not have student populations in which at  
24 least 40 percent of the students are:

25           (A) educationally disadvantaged; or

26           (B) students at risk of dropping out of school,  
27 as defined by Section 29.081(d).

1       (d) In developing criteria for metrics of assessment under  
2 Subsection (a), the agency shall prioritize harmonizing the  
3 criteria and metrics adopted for purposes of this section with any  
4 related school safety and security requirements adopted under S.B.  
5 11, Acts of the 88th Legislature, Regular Session, 2023. The  
6 commissioner may waive the requirement of applying a metric  
7 otherwise required in conducting a school safety audit under  
8 Subsection (b) to the extent necessary for purposes of harmonizing  
9 school safety and security requirements applied to school districts  
10 and open-enrollment charter schools under this code.

11       Sec. 37.256. SCHOOL SAFETY MOBILE INTERNET APPLICATION  
12 REQUIREMENTS. If a school district or open-enrollment charter  
13 school provides a school safety mobile Internet application, the  
14 application:

15               (1) must comply with the Health Insurance Portability  
16 and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and  
17 the Family Educational Rights and Privacy Act of 1974 (20 U.S.C.  
18 Section 1232g); and

19               (2) may only contain health information voluntarily  
20 provided for integration in the application:

21                       (A) for a student, by the student's parent or  
22 guardian; or

23                       (B) by an educator or other campus staff.

24       Sec. 37.257. SCHOOL SAFETY RATING. (a) The agency, with  
25 input from the advisory committee, shall adopt a method for  
26 converting a school safety score assigned under Section 37.254 to a  
27 school safety rating for purposes of this section.



1        (b) Not later than January 30 of each year, the agency shall  
2 assign each school district and open-enrollment charter school  
3 campus, based on that campus's self-reported school safety score, a  
4 preliminary school safety rating of:

5            (1) meets standards; or

6            (2) does not meet standards.

7        (c) Not later than March 1, the agency shall assign a final  
8 school safety rating of "meets standards" or "does not meet  
9 standards" to each school district and open-enrollment charter  
10 school campus, except a campus implementing a remediation plan  
11 under a deadline established by Section 37.258(e).

12        Sec. 37.258. CAMPUS REMEDIATION PLAN. (a) The principal of  
13 a school district or open-enrollment charter school campus assigned  
14 a preliminary school safety rating under Section 37.257 of "does  
15 not meet standards" shall prepare a campus remediation plan.

16        (b) A campus remediation plan must:

17            (1) specifically address improvements to school  
18 safety to be made at the campus prior to the beginning of the  
19 following school year;

20            (2) for a school district campus, be prepared in  
21 coordination with the board of trustees of the district;

22            (3) specify a process for implementing the plan;

23            (4) be approved by the board of trustees of the school  
24 district or the governing body of the open-enrollment charter  
25 school in which the campus is located, as applicable; and

26            (5) be submitted to the agency not later than the 45th  
27 day after the date on which the preliminary school safety rating was

1 assigned.

2 (c) The chief of school safety and security shall evaluate  
3 each campus remediation plan submitted under Subsection (b). If  
4 the chief of school safety and security determines that a plan is  
5 sufficient, the chief of school safety and security shall revise  
6 the school safety rating assigned to the campus to the rating of  
7 "meets standards."

8 (d) The agency shall notify the principal of the campus  
9 whether the remediation plan is sufficient for the campus to be  
10 assigned a revised school safety rating of "meets standards."

11 (e) After a remediation plan is determined to be sufficient  
12 under this section, the advisory committee shall establish a  
13 deadline by which the principal of a school district or  
14 open-enrollment charter school must submit to the board of trustees  
15 of the district or governing board of the school, as applicable,  
16 documentation showing that the campus has implemented the  
17 remediation plan.

18 (f) The chief of school safety and security has the sole  
19 authority to revise a school safety rating under this section.

20 (g) Except as provided by this subsection and Subsections  
21 (h) and (i), the agency and a school district or open-enrollment  
22 charter school required to prepare a remediation plan shall keep  
23 that requirement, the remediation plan, and the implementation  
24 process for the plan confidential. The district or school may  
25 disclose information related to a remediation plan prepared under  
26 this section only as necessary for purposes of preparing and  
27 implementing the remediation plan and only to school personnel, who

1 must keep the disclosed information confidential.

2 (h) Following the implementation of a remediation plan by  
3 the deadline established under Subsection (e), a school district or  
4 open-enrollment charter school may provide a written notice that  
5 the district or school was required to prepare a remediation plan  
6 under this section and has completed implementation of that plan to  
7 district or school employees and parents of or persons standing in  
8 parental relation to students enrolled in the district or school.

9 (i) The chief of school safety and security may publicly  
10 disclose that a school district or open-enrollment charter school  
11 has been assigned a final school safety rating of "does not meet  
12 standards" only if the chief determines by a preponderance of the  
13 evidence that the district or school, after receiving a preliminary  
14 school safety rating of "does not meet standards," is able but has  
15 refused to prepare or implement a remediation plan adequate to  
16 receive a revised school safety rating of "meets standards" under  
17 this section.

18 Sec. 37.259. CONFIDENTIALITY FROM PUBLIC DISCLOSURE. The  
19 following information produced under this subchapter is  
20 confidential and not subject to disclosure under Chapter 552,  
21 Government Code:

22 (1) a school safety score, including data collected or  
23 an audit report prepared by or in connection with determining or  
24 assigning the school safety score;

25 (2) a preliminary school safety rating assigned under  
26 Section 37.257; and

27 (3) a campus remediation plan prepared by a school

1 district or open-enrollment charter school under Section 37.258.

2 Sec. 37.260. RULES; DEADLINES. (a) The commissioner shall  
3 adopt rules necessary to implement this subchapter, including rules  
4 regarding requirements for further remediation by a school district  
5 or open-enrollment charter school campus that submits a remediation  
6 plan that is determined to be insufficient for purposes of Section  
7 37.258.

8 (b) The commissioner may extend or modify a timeline or  
9 deadline established by this subchapter.

10 Sec. 37.261. TEXAS SCHOOL SAFETY REPORT CARD. (a) Not  
11 later than August 15 of each year, the agency shall publish on the  
12 agency's Internet website the school safety report card, which  
13 consists of a list of the most recently assigned final school safety  
14 ratings under Section 37.257 for each school district and  
15 open-enrollment charter school campus in the state, unless  
16 disclosure of a campus's rating is prohibited under this  
17 subchapter.

18 (b) Each school district and open-enrollment charter school  
19 shall annually provide either a copy of the school safety report  
20 card or a link to the report card on the agency's Internet website  
21 to each parent, guardian, or person standing in parental relation  
22 to a student in the district or school.

23 SECTION 2. (a) Not later than October 1, 2023, the  
24 commissioner of education shall establish the school safety  
25 technical advisory committee required under Section 37.252,  
26 Education Code, as added by this Act.

27 (b) Not later than January 30, 2026, the Texas Education

1 Agency shall assign each school district and open-enrollment  
2 charter school campus:

3           (1) a school safety score under Section 37.254,  
4 Education Code, as added by this Act; and

5           (2) a school safety rating under Section 37.257,  
6 Education Code, as added by this Act.

7           SECTION 3. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2023.