

AN ACT

relating to security in 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 37.108 to read as follows:

Sec. 37.108. MULTHAZARD EMERGENCY OPERATIONS PLAN; SECURITY AUDIT. (a) Each school district shall adopt and implement a multihazard emergency operations plan for use in district schools. The plan must address mitigation, preparedness, response, and recovery as defined by the commissioner in conjunction with the governor's office of homeland security. The plan must provide for:

(1) district employee training in responding to an emergency;

(2) mandatory school drills to prepare district students and employees for responding to an emergency;

(3) measures to ensure coordination with local emergency management agencies, law enforcement, and fire departments in the event of an emergency; and

(4) the implementation of a security audit as required by Subsection (b).

(b) At least once every three years, a school district shall conduct a security audit of the district's facilities. To the extent possible, a district shall follow security audit procedures

1 developed by the Texas School Safety Center or a comparable public
2 or private entity.

3 (c) A school district shall report the results of the
4 security audit conducted under Subsection (b) to the district's
5 board of trustees.

6 SECTION 2. Subsection (a), Section 37.203, Education Code,
7 is amended to read as follows:

8 (a) The center is advised [~~governed~~] by a board of directors
9 composed of:

10 (1) the attorney general, or the attorney general's
11 designee;

12 (2) the commissioner, or the commissioner's designee;

13 (3) the executive director of the Texas Juvenile
14 Probation Commission, or the executive director's designee;

15 (4) the executive director of the Texas Youth
16 Commission, or the executive director's designee;

17 (5) the commissioner of the Texas Department of Mental
18 Health and Mental Retardation, or the commissioner's designee; and

19 (6) the following members appointed by the governor
20 with the advice and consent of the senate:

21 (A) a juvenile court judge;

22 (B) a member of a school district's board of
23 trustees;

24 (C) an administrator of a public primary school;

25 (D) an administrator of a public secondary
26 school;

27 (E) a member of the state parent-teacher

1 association;

2 (F) a teacher from a public primary or secondary
3 school;

4 (G) a public school superintendent who is a
5 member of the Texas Association of School Administrators;

6 (H) a school district police officer or a peace
7 officer whose primary duty consists of working in a public school;
8 and

9 (I) two members of the public.

10 SECTION 3. Section 37.205, Education Code, is amended to
11 read as follows:

12 Sec. 37.205. SAFETY TRAINING PROGRAMS. The center shall
13 conduct for school districts a safety training program that
14 includes:

15 (1) development of a positive school environment and
16 proactive safety measures designed to address local concerns;

17 (2) school safety courses for law enforcement
18 officials, with a focus on school district police officers and
19 school resource officers;

20 (3) discussion of school safety issues with parents
21 and community members; and

22 (4) assistance in developing a multihazard emergency
23 operations plan for adoption under Section 37.108 [~~specialized~~
24 ~~training for the staff of alternative education programs and~~
25 ~~juvenile justice alternative education programs~~].

26 SECTION 4. Subchapter G, Chapter 37, Education Code, is
27 amended by adding Section 37.2051 to read as follows:

1 Sec. 37.2051. SECURITY CRITERIA FOR INSTRUCTIONAL
2 FACILITIES. The center shall develop security criteria that school
3 districts may consider in the design of instructional facilities.

4 SECTION 5. Section 37.208, Education Code, is amended to
5 read as follows:

6 Sec. 37.208. ON-SITE ASSISTANCE. On request of a school
7 district, the center may [~~shall~~] provide on-site technical
8 assistance to the district for:

9 (1) school safety and security audits; and

10 (2) school safety and security information and
11 presentations.

12 SECTION 6. Subsection (b), Section 37.215, Education Code,
13 is amended to read as follows:

14 (b) The center [~~board~~] shall biannually prepare a budget
15 request [~~for the center~~] for submission to the legislature.

16 SECTION 7. Subchapter A, Chapter 46, Education Code, is
17 amended by adding Section 46.0081 to read as follows:

18 Sec. 46.0081. SECURITY CRITERIA IN DESIGN OF INSTRUCTIONAL
19 FACILITIES. A school district that constructs a new instructional
20 facility or conducts a major renovation of an existing
21 instructional facility using funds allotted to the district under
22 this subchapter shall consider, in the design of the instructional
23 facility, security criteria developed by the Texas School Safety
24 Center under Section 37.2051.

25 SECTION 8. Sections 37.206 and 37.213, Education Code, are
26 repealed.

27 SECTION 9. (a) Not later than December 1, 2005, the Texas

1 School Safety Center shall:

2 (1) develop a school safety program that includes
3 assistance to school districts in developing a multihazard
4 emergency operations plan as required by Section 37.205, Education
5 Code, as amended by this Act; and

6 (2) develop security criteria for the construction and
7 renovation of school district instructional facilities as required
8 by Section 37.2051, Education Code, as added by this Act.

9 (b) Not later than March 1, 2006, each school district shall
10 adopt a multihazard emergency operations plan as required by
11 Section 37.108, Education Code, as added by this Act.

12 SECTION 10. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 11 passed the Senate on April 6, 2005, by the following vote: Yeas 29, Nays 0; May 26, 2005, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2005, House granted request of the Senate; May 29, 2005, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 11 passed the House, with amendments, on May 23, 2005, by a non-record vote; May 27, 2005, House granted request of the Senate for appointment of Conference Committee; May 29, 2005, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor