

## **BILL ANALYSIS**

S.B. 1933  
By: Carona  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law requires each school district to adopt and implement a multihazard emergency operations plan and to conduct a security audit of its facilities once every three years. The law exempts the working papers of a district's audit from public disclosure under the Public Information Act. However, the final audit reports of the school district are not exempt.

Public disclosure of a school district's facility security audit could put schools at risks.

S.B. 1933 amends current law relating to the confidentiality of information and documents collected, developed, or produced during a school district security audit to establish that such documents and information are not subject to disclosure under the state's public information law except for a document relating to a district's multihazard emergency operation plan under certain conditions, which is subject to disclosure under certain circumstances.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1933 amends the Education Code to establish that any document or information collected, developed, or produced during a required security audit of a school district's facilities is not subject to disclosure under the state's public information law except for a document relating to a district's multihazard emergency operation plan, which is subject to disclosure under certain conditions as follows. The bill makes a document relating to such a plan subject to disclosure if the document enables a person to:

- verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including local emergency services agencies, law enforcement agencies, and fire departments;
- verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;
- verify that the plan addresses the four phases of emergency management;
- verify that district employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;
- verify that each campus in the district has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;
- verify that the district has established a plan for responding to a train derailment if required;
- verify that the district has completed a security audit and determine the date the audit was conducted, the person conducting the audit, and the date the district presented the results of the audit to the school board;

- verify that the district has addressed any recommendations by the district's board of trustees for improvement of the plan and determine the district's progress within the last 12 months; and
- verify that the district has established a visitor policy and identify the provisions governing access to a district building or other district property.

**EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.