

BILL ANALYSIS

C.S.H.B. 2758
By: Pena
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that accessible and immediate information is vital to the safety and security of students and staff in the event of an emergency on a college or university campus. Many colleges and universities have instituted various systems to alert students and staff of emergencies and other important notices. C.S.H.B. 2758 seeks to require public and private institutions of higher education to establish an emergency alert notification system.

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

C.S.H.B. 2758 amends the Education Code to require each institution of higher education and private or independent institution of higher education to establish an emergency alert system for the institution's students and staff, including faculty. The bill requires the system to use e-mail or telephone notifications in addition to any other alert method the institution considers appropriate to provide timely notification of emergencies affecting the institution or its students and staff. The bill provides for the meanings of "institution of higher education" and "private or independent institution of higher education" by reference.

C.S.H.B. 2758 requires the institution, at the time a student initially enrolls or registers for classes or a staff member begins employment, to obtain a personal phone number or e-mail address from the student or staff member to be used to notify the individual in the event of an emergency and register the student or staff member in the institution's emergency alert system. The bill authorizes a student or staff member to elect not to participate in the emergency alert system; authorizes the election to be submitted electronically or in writing, as chosen by the institution; and requires the election to be renewed at the start of each academic year.

C.S.H.B. 2758 establishes that the personal identifying information obtained from an individual for the purpose of the emergency alert system of an institution, including an e-mail address or telephone number, is confidential and not subject to disclosure under public information law. The bill adds a temporary provision, set to expire June 1, 2012, to require each institution to implement the emergency alert system not later than the spring 2012 semester.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2758 differs from the original by requiring each institution to obtain a personal phone number or e-mail address at the time a student initially enrolls or registers for courses, whereas

the original makes no reference to registering for courses. The substitute contains a specification not included in the original specifying that the information obtained is to be used to notify an individual in the event of an emergency.

C.S.H.B. 2758 differs from the original by authorizing an election not to participate in an institution's emergency alert system to be submitted electronically or in writing, as chosen by the institution, whereas the original requires such an election to be in writing on a form developed by the institution and signed by the student or staff member.

C.S.H.B. 2758 differs from the original in nonsubstantive ways.