

By: Huberty, Nevárez

H.B. No. 3596

Substitute the following for H.B. No. 3596:

By: Nevárez

C.S.H.B. No. 3596

A BILL TO BE ENTITLED

AN ACT

relating to public school safety and security policies, procedures,  
and practices.

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

SECTION 1. Section 37.108, Education Code, is amended by  
amending Subsection (a) and adding Subsection (b-1) to read as  
follows:

(a) Each school district or public junior college district  
shall adopt and implement a multihazard emergency operations plan  
for use in the district's facilities. The plan must address  
mitigation, preparedness, response, and recovery as defined by the  
commissioner of education or commissioner of higher education 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) if the plan applies to a school district:

(A) [7] mandatory school drills and exercises to  
prepare district students and employees for responding to an  
emergency;

(B) establishment of memoranda of understanding  
and mutual aid agreements with local law enforcement and other  
entities with jurisdiction over emergency services provided to  
persons residing within the attendance boundaries of the district;

1 and

2 (C) the implementation of routine campus safety  
3 and security assessments under Subsection (b-1);

4 (3) measures to ensure coordination with the  
5 Department of State Health Services and local emergency management  
6 agencies, law enforcement, health departments, and fire  
7 departments in the event of an emergency; and

8 (4) the implementation of a safety and security audit  
9 as required by Subsection (b).

10 (b-1) In addition to conducting safety and security audits  
11 under Subsection (b), each school district shall conduct routine  
12 campus safety and security assessments throughout the school year  
13 at intervals set by the Texas School Safety Center.

14 SECTION 2. Sections 37.1081(a) and (b), Education Code, are  
15 amended to read as follows:

16 (a) The Texas School Safety Center [~~in consultation with~~  
17 ~~the School Safety Task Force established under Section 37.1082,~~]  
18 shall implement [~~develop~~] a school safety certification program.

19 (b) The Texas School Safety Center shall award a school  
20 safety certificate to a school district that:

21 (1) has adopted and implemented a multihazard  
22 emergency operations plan as required under Section 37.108 and that  
23 includes in that plan:

24 (A) measures for security of facilities and  
25 grounds;

26 (B) measures for communication with parents and  
27 the media in the event of an emergency; and

1 (C) an outline of safety training for school  
2 employees;

3 (2) demonstrates to the center through documentation  
4 [~~with current written self-audit processes~~] that the district  
5 conducts at least one drill per year for each of the following types  
6 of drills:

7 (A) a school lockdown drill;

8 (B) an evacuation drill;

9 (C) a weather-related emergency drill;

10 (D) a reverse evacuation drill; and

11 (E) a shelter-in-place drill;

12 (3) addresses circumstances that may be unique to the  
13 region in which the district is located and that affect:

14 (A) facilities and security; or

15 (B) the safety of students [~~is in compliance with~~  
16 ~~Sections 37.108(b) and (c)]]; and~~

17 (4) meets any other eligibility criteria [~~as~~]  
18 recommended by the former School Safety Task Force.

19 SECTION 3. Section 37.202, Education Code, is amended to  
20 read as follows:

21 Sec. 37.202. PURPOSE. The purpose of the center is to serve  
22 as:

23 (1) a central location for school safety and security  
24 information, including research, training, and technical  
25 assistance related to successful school safety and security  
26 programs;

27 (2) a central registry of persons providing school

1 safety and security consulting services in the state; ~~and~~

2 (3) a resource for the prevention of youth violence  
3 and the promotion of safety in the state; and

4 (4) a central location for the collection of  
5 information concerning research and best practices for threat  
6 awareness, campus safety and security assessments, and  
7 cross-jurisdictional sharing of information.

8 SECTION 4. Sections 37.203(a) and (b), Education Code, are  
9 amended to read as follows:

10 (a) The center is advised by a board of directors composed  
11 of:

12 (1) the attorney general, or the attorney general's  
13 designee;

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

15 (3) the executive director of the Texas Juvenile  
16 Justice Department [~~Probation Commission~~], or the executive  
17 director's designee;

18 (4) [~~the executive commissioner of the Texas Youth~~  
19 ~~Commission, or the executive commissioner's designee,~~

20 ~~(5)]~~ (5) the commissioner of the Department of State  
21 Health Services, or the commissioner's designee;

22 (5) [~~(6)~~] the commissioner of higher education, or the  
23 commissioner's designee; and

24 (6) [~~(7)~~] the following members appointed by the  
25 governor with the advice and consent of the senate:

26 (A) a juvenile court judge;

27 (B) a member of a school district's board of

- 1 trustees;
- 2 (C) an administrator of a public primary school;
- 3 (D) an administrator of a public secondary
- 4 school;
- 5 (E) a member of the state parent-teacher
- 6 association;
- 7 (F) a teacher from a public primary or secondary
- 8 school;
- 9 (G) a public school superintendent who is a
- 10 member of the Texas Association of School Administrators;
- 11 (H) a school district police officer or a peace
- 12 officer whose primary duty consists of working in a public school;
- 13 ~~and~~
- 14 (I) an individual who has experience and
- 15 expertise in information technology security;
- 16 (J) a school district employee whose primary duty
- 17 consists of managing transportation logistics for a public school
- 18 district;
- 19 (K) an architect with experience in school
- 20 facility design; and
- 21 (L) two members of the public who are a parent or
- 22 guardian of a public school student.

23 (b) Members of the board appointed under Subsection (a)(6)

24 ~~[(a)(7)]~~ serve staggered two-year terms, with the terms of the

25 members described by Subsections (a)(6)(A)-(F) ~~[(a)(7)(A)-(E)]~~

26 expiring on February 1 of each odd-numbered year and the terms of

27 the members described by Subsections (a)(6)(G)-(L) ~~[(a)(7)(F)-(I)]~~

1 expiring on February 1 of each even-numbered year. A member may  
2 serve more than one term.

3 SECTION 5. Section 37.205, Education Code, is amended to  
4 read as follows:

5 Sec. 37.205. SAFETY TRAINING PROGRAMS. The center shall  
6 conduct for school districts a safety training program that  
7 includes:

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

10 (2) school safety courses for law enforcement  
11 officials, with a focus on school district police officers and  
12 school resource officers;

13 (3) discussion of school safety issues with parents  
14 and community members; ~~and~~

15 (4) assistance in developing a multihazard emergency  
16 operations plan for adoption under Section 37.108; and

17 (5) training in best practices for threat awareness,  
18 implementation of campus safety and security assessments, and  
19 cross-jurisdictional sharing of information.

20 SECTION 6. Section 421.901, Government Code, is amended to  
21 read as follows:

22 Sec. 421.901. INTEROPERABILITY OF CRITICAL INFORMATION  
23 SYSTEMS. The office of the governor shall develop a plan for  
24 appropriate entities to use information systems that:

25 (1) employ underlying computer equipment and software  
26 required to establish interoperable communication between computer  
27 systems used by local, state, and federal agencies and first

1 responders; ~~and~~

2 (2) provide a single point of entry to disseminate  
3 information, applications, processes, and communications;

4 (3) provide threat awareness information that may  
5 affect campus security and student safety in the Texas-Mexico  
6 border region and is obtained through cross-jurisdictional sharing  
7 of information; and

8 (4) include school security information that may be  
9 obtained through school district incident reporting, school safety  
10 audits, and campus safety and security assessments.

11 SECTION 7. Sections 37.1081(c) and 37.1082, Education Code,  
12 are repealed.

13 SECTION 8. (a) Not later than February 1, 2016, the  
14 governor shall appoint new members to the board of directors of the  
15 Texas School Safety Center as required by Sections  
16 37.203(a)(6)(I)-(K), Education Code, as added by this Act.

17 (b) Section 37.203, Education Code, as amended by this Act,  
18 does not affect the term of the member appointed under Section  
19 37.203(a)(6)(F), Education Code, as amended by this Act, and  
20 serving on the board immediately before the effective date of this  
21 Act. After the term of that member expires on February 1, 2016, the  
22 governor shall appoint a member who meets the requirements under  
23 Section 37.203(a)(6)(F), Education Code, as amended by this Act, to  
24 a term expiring February 1, 2017.

25 (c) Section 37.203, Education Code, as amended by this Act,  
26 does not affect the terms of the members appointed under Section  
27 37.203(a)(6)(L), Education Code, as amended by this Act, and

1 serving on the board immediately before the effective date of this  
2 Act. After the terms of those members expire, the governor shall  
3 appoint members who meet the requirements under Section  
4 37.203(a)(6)(L), Education Code, as amended by this Act.

5 SECTION 9. This Act applies beginning with the 2015-2016  
6 school year.

7 SECTION 10. This Act takes effect immediately if it  
8 receives a vote of two-thirds of all the members elected to each  
9 house, as provided by Section 39, Article III, Texas Constitution.  
10 If this Act does not receive the vote necessary for immediate  
11 effect, this Act takes effect September 1, 2015.