

By: Paxton

S.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

relating to establishing a system for the sharing of information regarding cyber attacks or other cybersecurity incidents occurring in schools in this state.

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

SECTION 1. The heading to Section 11.175, Education Code, is amended to read as follows:

Sec. 11.175. SCHOOL DISTRICT AND OPEN-ENROLLMENT CHARTER SCHOOL CYBERSECURITY.

SECTION 2. Section 11.175, Education Code, is amended by amending Subsections (b), (c), (d), and (e) and adding Subsections (g), (h), and (i) to read as follows:

(b) Each school district and open-enrollment charter school shall adopt a cybersecurity policy to:

(1) secure district cyberinfrastructure against cyber attacks and other cybersecurity incidents; and

(2) determine cybersecurity risk and implement mitigation planning.

(c) A school district's or open-enrollment charter school's cybersecurity policy may not conflict with the information security standards for institutions of higher education adopted by the Department of Information Resources under Chapters 2054 and 2059, Government Code.

(d) The superintendent of each school district and

1 open-enrollment charter school shall designate a cybersecurity
2 coordinator to serve as a liaison between the district or school and
3 the agency in cybersecurity matters.

4 (e) A [The district's] cybersecurity coordinator designated
5 under Subsection (d) shall report to the agency or, if applicable,
6 the entity that administers the system established under Subsection
7 (g) any cyber attack or other cybersecurity incident against the
8 school district's or open-enrollment charter school's [district]
9 cyberinfrastructure that constitutes a breach of system security as
10 soon as practicable after the discovery of the attack or incident.

11 (g) The agency, in coordination with the Department of
12 Information Resources, shall establish and maintain a system to
13 coordinate the anonymous sharing of information concerning cyber
14 attacks or other cybersecurity incidents between participating
15 public and private schools and the state. The system must:

16 (1) include each report made under Subsection (e);

17 (2) provide for reports made under Subsection (e) to
18 be shared between participating schools in as close to real time as
19 possible; and

20 (3) preserve a reporting school's anonymity by
21 preventing the disclosure through the system of the name of the
22 school at which an attack or incident occurred.

23 (h) In establishing the system under Subsection (g), the
24 agency may:

25 (1) contract with a qualified third party to
26 administer the system; and

27 (2) allow open-enrollment charter schools and private

1 schools in this state to report and receive information through the
2 system.

3 (i) The commissioner shall adopt rules as necessary to
4 implement this section.

5 SECTION 3. This Act takes effect September 1, 2021.