

By: Manuel, Collier, Jones of Harris, et al.

H.B. No. 3255

A BILL TO BE ENTITLED

AN ACT

relating to emergency response management training for certain administrators and security personnel at public schools.

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

SECTION 1. Section 12.104(b), Education Code, as amended by Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense;

(2) the provisions in Chapter 554, Government Code; and

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading instruments and accelerated reading instruction programs under Section 28.006;

(D) accelerated instruction under Section

- 1 28.0211;
- 2 (E) high school graduation requirements under
- 3 Section 28.025;
- 4 (F) special education programs under Subchapter
- 5 A, Chapter 29;
- 6 (G) bilingual education under Subchapter B,
- 7 Chapter 29;
- 8 (H) prekindergarten programs under Subchapter E
- 9 or E-1, Chapter 29, except class size limits for prekindergarten
- 10 classes imposed under Section 25.112, which do not apply;
- 11 (I) extracurricular activities under Section
- 12 33.081;
- 13 (J) discipline management practices or behavior
- 14 management techniques under Section 37.0021;
- 15 (K) health and safety under Chapter 38;
- 16 (L) the provisions of Subchapter A, Chapter 39;
- 17 (M) public school accountability and special
- 18 investigations under Subchapters A, B, C, D, F, G, and J, Chapter
- 19 39, and Chapter 39A;
- 20 (N) the requirement under Section 21.006 to
- 21 report an educator's misconduct;
- 22 (O) intensive programs of instruction under
- 23 Section 28.0213;
- 24 (P) the right of a school employee to report a
- 25 crime, as provided by Section 37.148;
- 26 (Q) bullying prevention policies and procedures
- 27 under Section 37.0832;

1 (R) the right of a school under Section 37.0052
2 to place a student who has engaged in certain bullying behavior in a
3 disciplinary alternative education program or to expel the student;

4 (S) the right under Section 37.0151 to report to
5 local law enforcement certain conduct constituting assault or
6 harassment;

7 (T) a parent's right to information regarding the
8 provision of assistance for learning difficulties to the parent's
9 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

10 (U) establishment of residency under Section
11 25.001;

12 (V) school safety requirements under Sections
13 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.1141, 37.115,
14 37.116, 37.207, and 37.2071;

15 (W) the early childhood literacy and mathematics
16 proficiency plans under Section 11.185;

17 (X) the college, career, and military readiness
18 plans under Section 11.186; and

19 (Y) [~~(X)~~] parental options to retain a student
20 under Section 28.02124.

21 SECTION 2. Subchapter D, Chapter 37, Education Code, is
22 amended by adding Section 37.116 to read as follows:

23 Sec. 37.116. EMERGENCY RESPONSE TRAINING. (a) A school
24 district may require each principal, assistant principal, school
25 marshal, school district peace officer, school resource officer,
26 and school security personnel employed by or assigned to the
27 district to complete the following emergency response management

1 training courses provided by the Federal Emergency Management
2 Agency:

3 (1) Introduction to the Incident Command System;

4 (2) Basic Incident Command System for Initial
5 Response;

6 (3) An Introduction to the National Incident
7 Management System; and

8 (4) National Response Framework, An Introduction.

9 (b) The board of trustees of a school district that requires
10 the completion of training courses under Subsection (a) shall adopt
11 policies to:

12 (1) verify completion of the training by each person
13 required to complete the training under Subsection (a); and

14 (2) provide annual emergency response management
15 training exercises incorporating the training required under
16 Subsection (a).

17 SECTION 3. To the extent of any conflict, this Act prevails
18 over another Act of the 88th Legislature, Regular Session, 2023,
19 relating to nonsubstantive additions to and corrections in enacted
20 codes.

21 SECTION 4. This Act applies beginning with the 2023-2024
22 school year.

23 SECTION 5. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2023.