

By: Nichols, et al.
(King of Hemphill)

S.B. No. 11

Substitute the following for S.B. No. 11:

By: Buckley

C.S.S.B. No. 11

A BILL TO BE ENTITLED

1 AN ACT
2 relating to measures for ensuring safety and security in public
3 schools, including measures related to the health and safety of
4 public school students and active shooter training for certain
5 peace officers.

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

7 SECTION 1. Section 7.028(a), Education Code, is amended to
8 read as follows:

9 (a) Except as provided by Section 21.006(k), 22.093(l),
10 22.096, 28.006, 29.001(5), 29.010(a), 33.006(h), 37.1083, 38.003,
11 or 39.003, the agency may monitor compliance with requirements
12 applicable to a process or program provided by a school district,
13 campus, program, or school granted charters under Chapter 12,
14 including the process described by Subchapter F, Chapter 11, or a
15 program described by Subchapter B, C, D, E, F, H, or I, Chapter 29,
16 or Subchapter A, Chapter 37, only as necessary to ensure:

- 17 (1) compliance with federal law and regulations;
18 (2) financial accountability, including compliance
19 with grant requirements;
20 (3) data integrity for purposes of:
21 (A) the Public Education Information Management
22 System (PEIMS); and
23 (B) accountability under Chapters 39 and 39A; and
24 (4) qualification for funding under Chapter 48.

1 SECTION 2. Sections 7.061(b) and (c), Education Code, are
2 amended to read as follows:

3 (b) The commissioner shall adopt or amend rules as necessary
4 to ensure that facilities [~~building~~] standards for instructional
5 facilities and other school district and open-enrollment charter
6 school facilities, including construction quality, performance,
7 operational, and other standards related to the safety and security
8 of school facilities, provide a secure and safe environment. In
9 adopting or amending rules under this section, the commissioner
10 shall include the use of best practices for:

- 11 (1) the design and construction of new facilities; and
12 (2) the improvement, renovation, and retrofitting of
13 existing facilities.

14 (c) Not later than September 1 of each even-numbered year,
15 the commissioner shall review all rules adopted or amended under
16 this section and amend the rules as necessary to ensure that
17 facilities [~~building~~] standards for school district and
18 open-enrollment charter school facilities continue to provide a
19 secure and safe environment. In reviewing and amending the rules,
20 the commissioner shall:

21 (1) in consultation with the Texas School Safety
22 Center, identify and adopt any changes recommended under Section
23 37.221; and

24 (2) require that new and, to the extent feasible,
25 existing school facilities meet or exceed the standards established
26 by rule under this section and described by Section 37.351.

27 SECTION 3. Subchapter B, Chapter 8, Education Code, is

1 amended by adding Section 8.064 to read as follows:

2 Sec. 8.064. SCHOOL SAFETY SUPPORT. A regional education
3 service center shall act as a school safety resource, using
4 materials and resources developed by the Texas School Safety Center
5 or the agency in accordance with Chapter 37, for school districts
6 and open-enrollment charter schools in the region served by the
7 center. The center may assist a school district or open-enrollment
8 charter school directly or in collaboration with the Texas School
9 Safety Center and local law enforcement agencies, as applicable:

10 (1) in developing and implementing a multihazard
11 emergency operations plan under Section 37.108;

12 (2) in establishing a school safety and security
13 committee under Section 37.109;

14 (3) in conducting emergency school drills and
15 exercises;

16 (4) in addressing deficiencies in campus security
17 identified by an on-site audit conducted by the agency under
18 Section 37.1083; and

19 (5) by providing guidance on any other matter relating
20 to school safety and security.

21 SECTION 4. Section 11.201(c), Education Code, is amended to
22 read as follows:

23 (c) For purposes of this subsection, "severance payment"
24 means any amount paid by the board of trustees of an independent
25 school district to or in behalf of a superintendent on early
26 termination of the superintendent's contract that exceeds the
27 amount earned by the superintendent under the contract as of the

1 date of termination, including any amount that exceeds the amount
2 of earned standard salary and benefits that is paid as a condition
3 of early termination of the contract. The board of trustees may not
4 make a severance payment to a superintendent who was terminated as a
5 result of the district's noncompliance with safety and security
6 requirements as provided by Section 37.1084. The board of trustees
7 that makes a severance payment to a superintendent shall report the
8 terms of the severance payment to the commissioner. The
9 commissioner shall reduce the district's Foundation School Program
10 funds by any amount that the amount of the severance payment to the
11 superintendent exceeds an amount equal to one year's salary and
12 benefits under the superintendent's terminated contract. The
13 commissioner may adopt rules as necessary to administer this
14 subsection.

15 SECTION 5. Section 12.104(b), Education Code, as amended by
16 Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B.
17 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular
18 Session, 2021, is reenacted and amended to read as follows:

- 19 (b) An open-enrollment charter school is subject to:
- 20 (1) a provision of this title establishing a criminal
21 offense;
- 22 (2) the provisions in Chapter 554, Government Code;
23 and
- 24 (3) a prohibition, restriction, or requirement, as
25 applicable, imposed by this title or a rule adopted under this
26 title, relating to:
- 27 (A) the Public Education Information Management

1 System (PEIMS) to the extent necessary to monitor compliance with
2 this subchapter as determined by the commissioner;

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

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

7 (D) accelerated instruction under Section
8 28.0211;

9 (E) high school graduation requirements under
10 Section 28.025;

11 (F) special education programs under Subchapter
12 A, Chapter 29;

13 (G) bilingual education under Subchapter B,
14 Chapter 29;

15 (H) prekindergarten programs under Subchapter E
16 or E-1, Chapter 29, except class size limits for prekindergarten
17 classes imposed under Section 25.112, which do not apply;

18 (I) extracurricular activities under Section
19 33.081;

20 (J) discipline management practices or behavior
21 management techniques under Section 37.0021;

22 (K) health and safety under Chapter 38;

23 (L) the provisions of Subchapter A, Chapter 39;

24 (M) public school accountability and special
25 investigations under Subchapters A, B, C, D, F, G, and J, Chapter
26 39, and Chapter 39A;

27 (N) the requirement under Section 21.006 to

- 1 report an educator's misconduct;
- 2 (O) intensive programs of instruction under
3 Section 28.0213;
- 4 (P) the right of a school employee to report a
5 crime, as provided by Section 37.148;
- 6 (Q) bullying prevention policies and procedures
7 under Section 37.0832;
- 8 (R) the right of a school under Section 37.0052
9 to place a student who has engaged in certain bullying behavior in a
10 disciplinary alternative education program or to expel the student;
- 11 (S) the right under Section 37.0151 to report to
12 local law enforcement certain conduct constituting assault or
13 harassment;
- 14 (T) a parent's right to information regarding the
15 provision of assistance for learning difficulties to the parent's
16 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);
- 17 (U) establishment of residency under Section
18 25.001;
- 19 (V) school safety requirements under Sections
20 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.109,
21 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter
22 J, Chapter 37;
- 23 (W) the early childhood literacy and mathematics
24 proficiency plans under Section 11.185;
- 25 (X) the college, career, and military readiness
26 plans under Section 11.186; and
- 27 (Y) [~~(X)~~] parental options to retain a student

1 under Section 28.02124.

2 SECTION 6. Subchapter 7, Chapter 22, Education Code, is
3 amended by adding Section 22.904 to read as follows:

4 Sec. 22.904. MENTAL HEALTH FIRST AID TRAINING. (a) Except
5 as otherwise provided by this section, a school district shall
6 require each district employee who regularly interacts with
7 students enrolled at the district to complete an evidence-based
8 mental health first aid training program designed to provide
9 instruction to participants regarding the recognition and support
10 of children and youth who experience a mental health or substance
11 use issue that may pose a threat to school safety.

12 (b) A school district may not require a district employee
13 who has previously completed mental health first aid training
14 offered by a local mental health authority under Section 1001.203,
15 Health and Safety Code, to complete the training required by this
16 section.

17 (c) The agency shall provide an allotment to each school
18 district equal to the sum of the amount district employees spent on
19 travel and training fees and the product of each employee's hourly
20 salary multiplied by the number of hours that employee spent
21 completing the training in accordance with commissioner rule to
22 comply with this section. An allotment provided to a district under
23 this section must be used to reimburse the employee for the cost of
24 travel and training fees and to compensate the employee for the time
25 spent completing the training required by this section.

26 (d) The State Board for Educator Certification shall
27 propose rules allowing an educator to receive credit toward the

1 educator's continuing education requirements under Section
2 21.054(g) for the educator's participation in mental health first
3 aid training under this section.

4 (e) The commissioner shall adopt rules to implement this
5 section, including rules specifying the training fees and travel
6 expenses subject to reimbursement under Subsection (c).

7 SECTION 7. Section 25.002(a), Education Code, is amended to
8 read as follows:

9 (a) If a parent or other person with legal control of a child
10 under a court order enrolls the child in a public school, the parent
11 or other person or the school district in which the child most
12 recently attended school shall furnish to the school district:

13 (1) the child's birth certificate or another document
14 suitable as proof of the child's identity;

15 (2) a copy of the child's records from the school the
16 child most recently attended if the child has been previously
17 enrolled in a school in this state or another state, including for a
18 child who most recently attended a public school in this state, a
19 copy of the child's disciplinary record and any threat assessment
20 involving the child's behavior conducted under Section 37.115; and

21 (3) a record showing that the child has the
22 immunizations as required under Section 38.001, in the case of a
23 child required under that section to be immunized, proof as
24 required by that section showing that the child is not required to
25 be immunized, or proof that the child is entitled to provisional
26 admission under that section and under rules adopted under that
27 section.

1 SECTION 8. Section 25.036, Education Code, is amended by
2 adding Subsection (c) to read as follows:

3 (c) In the case of a transfer under this section, a child's
4 school district of residence shall provide the receiving district
5 with the child's disciplinary record and any threat assessment
6 involving the child's behavior conducted under Section 37.115.

7 SECTION 9. Section 29.202(a), Education Code, is amended to
8 read as follows:

9 (a) A student is eligible to receive a public education
10 grant or to attend another public school in the district in which
11 the student resides under this subchapter if the student is
12 assigned to attend a public school campus:

13 (1) assigned an unacceptable performance rating that
14 is made publicly available under Section 39.054; or

15 (2) determined by the commissioner to be noncompliant
16 with safety and security requirements under Section 37.1084.

17 SECTION 10. Subchapter 7, Chapter 29, Education Code, is
18 amended by adding Section 29.9074 to read as follows:

19 Sec. 29.9074. FENTANYL POISONING AWARENESS WEEK. (a) To
20 educate students about the dangers posed by the drug fentanyl and
21 the risks of fentanyl poisoning, including overdose, the governor
22 shall designate a week to be known as Fentanyl Poisoning Awareness
23 Week in public schools.

24 (b) Fentanyl Poisoning Awareness Week may include
25 age-appropriate instruction, including instruction on the
26 prevention of the abuse of and addiction to fentanyl, as determined
27 by each school district.

1 SECTION 11. Section 37.081, Education Code, is amended by
2 amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3),
3 and (a-4) to read as follows:

4 (a) The board of trustees of any school district may:

5 (1) employ or contract with security personnel;

6 (2) [] enter into a memorandum of understanding with
7 a local law enforcement agency or a county or municipality that is
8 the employing political subdivision of commissioned peace officers
9 for the provision of school resource officers;

10 (3) for the purposes of providing security personnel,
11 contract with a security services contractor licensed under Chapter
12 1702, Occupations Code, for the provision of a commissioned
13 security officer, as defined by Section 1702.002, Occupations Code,
14 who has completed the Level II or III training course required by
15 the Department of Public Safety; [] and

16 (4) commission peace officers to carry out this
17 subchapter.

18 (a-1) ~~[If a board of trustees authorizes a person employed~~
19 ~~as security personnel to carry a weapon, the person must be a~~
20 ~~commissioned peace officer.]~~ The jurisdiction of a peace officer,
21 a school resource officer, or security personnel under this section
22 shall be determined by the board of trustees and may include all
23 territory in the boundaries of the school district and all property
24 outside the boundaries of the district that is owned, leased, or
25 rented by or otherwise under the control of the school district and
26 the board of trustees that employ or contract with, as applicable,
27 the peace officer or security personnel or that enter into a

1 memorandum of understanding for the provision of a school resource
2 officer.

3 (a-2) A memorandum of understanding for the provision of
4 school resource officers entered into under Subsection (a) must:

5 (1) be in the form of an interlocal contract under
6 Chapter 791, Government Code; and

7 (2) use a proportionate cost allocation methodology to
8 address any costs or fees incurred by the school district or the
9 local law enforcement agency, county, or municipality, as
10 applicable.

11 (a-3) The cost allocation methodology used under Subsection
12 (a-2)(2) may allow a local law enforcement agency, county, or
13 municipality, as applicable, to recoup direct costs incurred as a
14 result of the contract but may not allow the agency, county, or
15 municipality to profit under the contract.

16 (a-4) A school district, local law enforcement agency,
17 county, or municipality that enters into a memorandum of
18 understanding under Subsection (a) may seek funding from federal,
19 state, and private sources to support the cost of providing school
20 resource officers under this section.

21 SECTION 12. Section 37.0812(a), Education Code, is amended
22 to read as follows:

23 (a) A school district peace officer or school resource
24 officer shall complete an active shooter response training program
25 approved by the Texas Commission on Law Enforcement at least once in
26 each four-year period.

27 SECTION 13. Subchapter C, Chapter 37, Education Code, is

1 amended by adding Section 37.08121 to read as follows:

2 Sec. 37.08121. SCHOOL SENTINEL PROGRAM, TRAINING, AND
3 STIPEND. (a) In this section, "school sentinel" means a school
4 district or open-enrollment charter school employee who, pursuant
5 to the written regulations or written authorization of the district
6 or school under Section 46.03(a)(1)(A), Penal Code, is authorized
7 to carry or possess a specified weapon for the purpose of providing
8 safety and security on the physical premises of the employee's
9 school, any grounds or building on which an activity sponsored by
10 the school is being conducted, or a passenger transportation
11 vehicle of the school.

12 (b) A school district or open-enrollment charter school may
13 establish a school sentinel program in accordance with this section
14 for the purposes of school safety and security on school premises.
15 The written regulation or authorization of a school district or
16 open-enrollment charter school that authorizes the presence of a
17 school sentinel must require the sentinel to complete a school
18 sentinel training program approved by the agency under this section
19 before being permitted to carry or possess a weapon on the physical
20 premises of the school for the purposes of providing safety and
21 security.

22 (c) A school district or open-enrollment charter school
23 that authorizes the presence of a school sentinel under this
24 section shall:

25 (1) designate a marking or uniform that identifies to
26 a law enforcement agency that the person is a school sentinel;

27 (2) require each school sentinel to wear a marking or

1 uniform described by Subdivision (1) while providing school
2 sentinel services at the district or school in the manner provided
3 under Subsection (b); and

4 (3) maintain information regarding the marking or
5 uniform designated under Subdivision (1) as confidential except
6 that the district or school shall disclose the information to an
7 appropriate law enforcement agency in accordance with Section
8 37.108(g).

9 (d) The agency may only approve a school sentinel training
10 program if the program:

11 (1) requires completion of all training required for a
12 school marshal, including the training program provided under
13 Section 1701.260, Occupations Code; and

14 (2) includes instruction in mental health first aid
15 and trauma-informed care.

16 (e) From funds appropriated or otherwise available for the
17 purpose, a school district or open-enrollment charter school
18 employee is entitled to a stipend in an amount determined by the
19 commissioner of not more than \$25,000 per school year that the
20 employee serves as a school sentinel after completing the training
21 program required by this section. A stipend received under this
22 subsection is not considered a part of the employee's compensation,
23 including for purposes of determining whether a school district is
24 paying an employee the minimum monthly salary under Section 21.402.

25 (f) The commissioner shall adopt rules necessary to
26 implement this section.

27 SECTION 14. Section 37.108, Education Code, is amended by

1 amending Subsections (a), (b), (f), and (g) and adding Subsection
2 (h) to read as follows:

3 (a) Each school district or public junior college district
4 shall adopt and implement a multihazard emergency operations plan
5 for use in the district's facilities. The plan must address
6 prevention, mitigation, preparedness, response, and recovery as
7 defined by the Texas School Safety Center in conjunction with the
8 governor's office of homeland security, ~~and~~ the commissioner of
9 education, and the ~~or~~ commissioner of higher education~~, as~~
10 ~~applicable~~. The plan must provide for:

11 (1) training in responding to an emergency for
12 district employees, including substitute teachers;

13 (2) measures to ensure district employees, including
14 substitute teachers, have classroom access to a telephone,
15 including a cellular telephone, or another electronic
16 communication device allowing for immediate contact with district
17 emergency services and ~~or~~ emergency services agencies, law
18 enforcement agencies, health departments, and fire departments;

19 (3) measures to ensure district communications
20 technology and infrastructure are adequate to allow for
21 communication during an emergency;

22 (4) if the plan applies to a school district,
23 mandatory school drills and exercises, including drills required
24 under Section 37.114, to prepare district students and employees
25 for responding to an emergency;

26 (5) measures to ensure coordination with the
27 Department of State Health Services and local emergency management

1 agencies, law enforcement, health departments, and fire
2 departments in the event of an emergency; ~~and~~

3 (6) the implementation of a safety and security audit
4 as required by Subsection (b);

5 (7) documentation related to the district's compliance
6 with safety and security facility standards, including:

7 (A) campus site plans;

8 (B) documentation of exterior door numbering for
9 each campus; and

10 (C) any good cause exceptions claimed by the
11 district under Section 37.352;

12 (8) evidence-based strategies to create a positive and
13 safe school environment, including:

14 (A) family engagement programs;

15 (B) employee training on multi-tiered systems of
16 support for academic and behavioral success;

17 (C) efforts to respond to chronic absenteeism;

18 (D) integrating the trauma-informed practices
19 established by the district's trauma-informed care policy under
20 Section 38.036; and

21 (E) opportunities for community feedback on the
22 implementation of the measures required by this subdivision; and

23 (9) any other requirements established by the Texas
24 School Safety Center in consultation with the agency.

25 (b) At least once every three years, each school district or
26 public junior college district shall conduct a safety and security
27 audit of the district's facilities. A ~~[To the extent possible, a]~~

1 district, or a person included in the registry established by the
2 Texas School Safety Center under Section 37.2091 who is engaged by
3 the district to conduct a safety and security audit, shall follow
4 safety and security audit procedures developed by the Texas School
5 Safety Center in coordination with the commissioner of education or
6 commissioner of higher education, as applicable [~~or a person~~
7 ~~included in the registry established by the Texas School Safety~~
8 ~~Center under Section 37.2091~~].

9 (f) A school district shall include in its multihazard
10 emergency operations plan:

11 (1) a chain of command that designates the individual
12 responsible for making final decisions during a disaster or
13 emergency situation and identifies other individuals responsible
14 for making those decisions if the designated person is unavailable;

15 (2) provisions that address physical and
16 psychological safety for responding to a natural disaster, active
17 shooter, and any other dangerous scenario identified for purposes
18 of this section by the agency or the Texas School Safety Center;

19 (3) provisions for ensuring the safety of students in
20 portable buildings;

21 (4) provisions for ensuring that students and district
22 personnel with disabilities are provided equal access to safety
23 during a disaster or emergency situation;

24 (5) provisions for providing immediate notification
25 to parents, guardians, and other persons standing in parental
26 relation in circumstances involving a significant threat to the
27 health or safety of students, including identification of the

1 individual with responsibility for overseeing the notification;

2 (6) provisions for supporting the psychological
3 safety of students, district personnel, and the community during
4 the response and recovery phase following a disaster or emergency
5 situation that:

6 (A) are aligned with best practice-based
7 programs and research-based practices recommended under Section
8 [38.351](#);

9 (B) include strategies for ensuring any required
10 professional development training for suicide prevention and
11 grief-informed and trauma-informed care is provided to appropriate
12 school personnel;

13 (C) include training on integrating
14 psychological safety and suicide prevention strategies into the
15 district's plan, such as psychological first aid for schools
16 training, from an approved list of recommended training established
17 by the commissioner and Texas School Safety Center for:

18 (i) members of the district's school safety
19 and security committee under Section [37.109](#);

20 (ii) district school counselors and mental
21 health professionals; and

22 (iii) educators and other district
23 personnel as determined by the district;

24 (D) include strategies and procedures for
25 integrating and supporting physical and psychological safety that
26 align with the provisions described by Subdivision (2); and

27 (E) implement trauma-informed policies;

1 (7) a policy for providing a substitute teacher access
2 to school campus buildings and materials necessary for the
3 substitute teacher to carry out the duties of a district employee
4 during an emergency or a mandatory emergency drill; ~~and~~

5 (8) the name of each individual on the district's
6 school safety and security committee established under Section
7 37.109 and the date of each committee meeting during the preceding
8 year; and

9 (9) certification that the district is in compliance
10 with Section 37.117, requiring the district to provide the
11 Department of Public Safety, local law enforcement agencies, and
12 emergency first responders with an accurate map for all district
13 campuses and school buildings.

14 (g) A school district shall include in its multihazard
15 emergency operations plan an active shooter preparedness appendix.
16 The active shooter preparedness appendix must include a
17 certification by the district that the district has provided to
18 each law enforcement agency with jurisdiction in the district or
19 geographic area served by the district:

20 (1) information regarding the identity of the school
21 sentinel authorized under Section 37.08121 at each district campus
22 and the marking or uniform worn by the school sentinel or other
23 manner in which a law enforcement agency may confidentially
24 identify the school sentinel;

25 (2) an accurate map of each district campus that meets
26 the requirements of Section 37.117; and

27 (3) an opportunity to conduct a walk-through of each

1 district facility using the map of the district campus described by
2 Subdivision (2). [~~a policy for responding to an active shooter~~
3 ~~emergency. The school district may use any available community~~
4 ~~resources in developing the policy described by this subsection.~~]

5 (h) The Texas School Safety Center and the agency shall
6 provide school safety-related data collected by the center or
7 agency to each other on request.

8 SECTION 15. Section 37.1081(a), Education Code, is amended
9 to read as follows:

10 (a) If the board of trustees of a school district receives
11 notice of noncompliance under Section 37.207(e) or 37.2071(d) or
12 (g) [~~37.2071(g)~~], the board shall hold a public hearing to notify
13 the public of:

- 14 (1) the district's failure to:
- 15 (A) submit or correct deficiencies in a
16 multihazard emergency operations plan; or
- 17 (B) report the results of a safety and security
18 audit to the Texas School Safety Center as required by law;
- 19 (2) the dates during which the district has not been in
20 compliance; and
- 21 (3) the names of each member of the board of trustees
22 and the superintendent serving in that capacity during the dates
23 the district was not in compliance.

24 SECTION 16. The heading to Section 37.1082, Education Code,
25 is amended to read as follows:

26 Sec. 37.1082. MULTHAZARD EMERGENCY OPERATIONS PLAN
27 NONCOMPLIANCE; APPOINTMENT OF AGENCY MONITOR, CONSERVATOR, OR

1 BOARD OF MANAGERS.

2 SECTION 17. Sections 37.1082(a) and (b), Education Code,
3 are amended to read as follows:

4 (a) If the agency receives notice from the Texas School
5 Safety Center of a school district's failure to submit a
6 multihazard emergency operations plan, the commissioner may
7 appoint an agency monitor [~~a conservator~~] for the district under
8 Chapter 39A. The agency monitor [~~conservator~~] may participate in
9 and report to the agency on the district's adoption,
10 implementation, and submission of [~~order the district to adopt,~~
11 ~~implement, and submit~~] a multihazard emergency operations plan.

12 (b) If a district fails to comply with an agency monitor's
13 requests regarding the district's adoption, implementation, and
14 submission of [~~a conservator's order to adopt, implement, and~~
15 ~~submit~~] a multihazard emergency operations plan within the time
16 frame imposed by the commissioner, the commissioner may appoint a
17 conservator or board of managers under Chapter 39A to oversee the
18 operations of the district.

19 SECTION 18. Subchapter D, Chapter 37, Education Code, is
20 amended by adding Sections 37.1083, 37.1084, 37.1085, and 37.1131
21 to read as follows:

22 Sec. 37.1083. AGENCY MONITORING OF SCHOOL DISTRICT SAFETY
23 AND SECURITY REQUIREMENTS. (a) The agency shall monitor school
24 district compliance with safety and security requirements,
25 including by annually conducting on-site audits of school
26 districts. The agency may conduct the on-site audits using a cycle
27 of random selection. The on-site audits must be conducted in

1 accordance with criteria developed by the agency in consultation
2 with the Texas School Safety Center.

3 (b) The monitoring must include intruder detection audits
4 of each school district to determine whether an intruder could gain
5 unsecured, unauthorized access to a district campus. The agency
6 shall ensure that an intruder detection audit is conducted annually
7 at each school district and that the audit includes an on-site audit
8 of not less than 25 percent of the district's campuses.

9 (c) The agency shall establish an office of school safety
10 and security within the agency that consists of individuals with
11 substantial expertise and experience in school or law enforcement
12 safety and security operations and oversight at the local, state,
13 or federal level to coordinate the agency's monitoring of school
14 district safety and security requirements under this section. The
15 director of the office is appointed by the governor and confirmed by
16 the senate and must report directly to the commissioner.

17 (d) The agency shall, in coordination with the Texas School
18 Safety Center, provide technical assistance to support
19 implementation of school district multihazard emergency operations
20 plans and safety and security audits and other school district
21 safety and security requirements.

22 (e) The agency may use or require the use of third parties to
23 conduct the monitoring required under this section.

24 (f) The agency and the Texas School Safety Center may
25 identify, develop, and make available to school districts
26 information to assist districts in the implementation and operation
27 of safety and security requirements.

1 (g) The agency may require a school district to submit
2 information necessary for the agency to conduct an on-site audit or
3 otherwise monitor school district compliance with safety and
4 security requirements under this section, including:

5 (1) notice of an event requiring a district's
6 emergency response; and

7 (2) information regarding the district's response and
8 use of emergency operations procedures during an event described by
9 Subdivision (1).

10 (h) The agency may review school district records as
11 necessary to ensure compliance with this subchapter and Subchapters
12 G and J.

13 (i) Any document or information collected, identified,
14 developed, or produced relating to the monitoring of school
15 district safety and security requirements under this section is
16 confidential under Sections 418.177 and 418.181, Government Code,
17 and not subject to disclosure under Chapter 552, Government Code.

18 (j) The commissioner may adopt rules as necessary to
19 administer this section.

20 Sec. 37.1084. ACTIONS BASED ON NONCOMPLIANCE WITH SAFETY
21 AND SECURITY REQUIREMENTS. (a) For purposes of this section, the
22 commissioner may determine that a school district or a campus of the
23 district is noncompliant with the safety and security requirements
24 under Section 37.1083 if the district fails to:

25 (1) submit to the required monitoring under that
26 section;

27 (2) comply with applicable safety and security

1 requirements; or

2 (3) address in a reasonable time period, as determined
3 by commissioner rule, issues raised by the agency's monitoring of
4 the district under that section.

5 (b) A student enrolled in a school district determined to be
6 noncompliant under Subsection (a) is eligible to receive a public
7 education grant to attend a school in a district other than the
8 district in which the student resides as provided by Subchapter G,
9 Chapter 29.

10 (c) If the superintendent or an administrator of a school
11 district is terminated by the board of trustees of the district as a
12 result of a determination that the district was noncompliant under
13 Subsection (a), the board may not make a severance payment of any
14 amount to the superintendent or administrator.

15 (d) The commissioner may adopt rules as necessary to
16 implement this section.

17 Sec. 37.1085. ASSIGNMENT OF CONSERVATOR FOR NONCOMPLIANCE
18 WITH SCHOOL SAFETY AND SECURITY REQUIREMENTS. (a) The
19 commissioner may assign a conservator under Chapter 39A if a school
20 district fails to:

21 (1) submit to any required monitoring or audit under
22 Section 37.1083;

23 (2) comply with applicable safety and security
24 requirements; or

25 (3) address in a reasonable time period, as determined
26 by commissioner rule, issues raised by the agency's monitoring or
27 audit of the district under Section 37.1083.

1 (b) A conservator assigned to a district under this section
2 may exercise the powers and duties of a conservator under Section
3 39A.003 only to correct a failure identified under Subsection (a).

4 Sec. 37.1131. NOTIFICATION REGARDING VIOLENT ACTIVITY. (a)
5 The agency shall develop model standards for providing notice
6 regarding violent activity that has occurred or is being
7 investigated at a school district campus or other district facility
8 or at a district-sponsored activity to parents, guardians, and
9 other persons standing in parental relation to students who are
10 assigned to the campus, regularly use the facility, or are
11 attending the activity, as applicable. The standards must:

12 (1) include electronic notification through text
13 messaging and e-mail;

14 (2) provide an option for real-time notification; and

15 (3) protect student privacy.

16 (b) Each school district shall adopt a policy for providing
17 notice described by Subsection (a) in a manner that meets the
18 standards adopted under that subsection.

19 SECTION 19. Section 37.115, Education Code, is amended by
20 amending Subsection (c) and adding Subsections (j-1) and (j-2) to
21 read as follows:

22 (c) The board of trustees of each school district shall
23 establish a threat assessment and safe and supportive school team
24 to serve at each campus of the district and shall adopt policies and
25 procedures for the teams. The team is responsible for developing
26 and implementing the safe and supportive school program under
27 Subsection (b) at the district campus served by the team. The

1 policies and procedures adopted under this section must:

2 (1) be consistent with the model policies and
3 procedures developed by the Texas School Safety Center;

4 (2) require each team to complete training provided by
5 the Texas School Safety Center or a regional education service
6 center regarding evidence-based threat assessment programs; ~~and~~

7 (3) require each team established under this section
8 to report the information required under Subsection (k) regarding
9 the team's activities to the agency; and

10 (4) require each district campus to establish a clear
11 procedure for a student to report concerning behavior exhibited by
12 another student for assessment by the team or other appropriate
13 school employee.

14 (j-1) Materials and information provided to or produced by a
15 team during a threat assessment of a student under this section must
16 be maintained in the student's school record until the student's
17 24th birthday.

18 (j-2) If a person destroys material or information
19 described by Subsection (j-1) before the period of maintenance
20 required under that subsection has expired, the board of trustees
21 of a school district may not renew the person's employment contract
22 with the school district.

23 SECTION 20. Subchapter D, Chapter 37, Education Code, is
24 amended by adding Sections 37.116 and 37.117 to read as follows:

25 Sec. 37.116. SCHOOL SAFETY INFRASTRUCTURE GRANT PROGRAM.

26 (a) With funds appropriated or otherwise available for the
27 purpose, the agency shall establish a grant program to assist

1 school districts and open-enrollment charter schools with any costs
2 identified by a district or school as necessary to enhance the
3 infrastructure of a district or school campus to meet agency safety
4 standards.

5 (b) The commissioner shall adopt rules to implement this
6 section.

7 Sec. 37.117. EMERGENCY RESPONSE MAP. Each school district
8 and open-enrollment charter school shall provide to the Department
9 of Public Safety and all appropriate local law enforcement agencies
10 and emergency first responders an accurate map of each district
11 campus and school building that is:

- 12 (1) oriented to true north; and
13 (2) developed and documented in accordance with the
14 standards described by Section 37.351 related to developing site
15 and floor plans, access control, and exterior door numbering.

16 SECTION 21. Sections 37.2071(b), (c), (d), (f), (g), and
17 (h), Education Code, are amended to read as follows:

18 (b) A school district or public junior college district
19 shall submit its multihazard emergency operations plan to the
20 center:

- 21 (1) not later than the 30th day after the date [on
22 request of] the center requests the submission; and

23 (2) in accordance with the center's review cycle
24 developed under Subsection (a).

25 (c) The center shall review each district's multihazard
26 emergency operations plan submitted under Subsection (b) and:

- 27 (1) verify the plan meets the requirements of Section

1 37.108; or

2 (2) provide the district with written notice:

3 (A) describing the plan's deficiencies; ~~and~~

4 (B) including specific recommendations to
5 correct the deficiencies; and

6 (C) stating that the district must correct the
7 deficiencies in its plan and resubmit the revised plan to the
8 center.

9 (d) If a district fails to submit its multihazard emergency
10 operations plan to the center for review following a notification
11 by the center that the district has failed to submit the district's
12 plan, the center shall provide the district with written notice
13 stating that the district must hold a public hearing under Section
14 37.1081 [+

15 ~~[(1) has failed to submit a plan; and~~

16 ~~[(2) must submit a plan to the center for review and~~
17 ~~verification].~~

18 (f) If one month ~~[three months]~~ after the date of initial
19 notification of a plan's deficiencies under Subsection (c)(2) ~~[or~~
20 ~~failure to submit a plan under Subsection (d)]~~ a district has not
21 corrected the plan deficiencies ~~[or has failed to submit a plan]~~,
22 the center shall provide written notice to the district and agency
23 that the district has not complied with the requirements of this
24 section and must comply immediately.

25 (g) If a school district still has not corrected the plan
26 deficiencies three ~~[or has failed to submit a plan six]~~ months after
27 the date of initial notification under Subsection (c)(2) ~~[or (d)]~~,

1 the center shall provide written notice to the school district
2 stating that the district must hold a public hearing under Section
3 37.1081.

4 (h) If a school district has failed to submit a plan, the
5 notice required by Subsection (d) [~~(g)~~] must state that the
6 commissioner is authorized to appoint an agency monitor [~~a~~
7 ~~conservator~~] under Section 37.1082.

8 SECTION 22. Section 37.2091, Education Code, is amended by
9 adding Subsection (b-1) to read as follows:

10 (b-1) A school district must confirm that a person is
11 included in the registry established under Subsection (b) before
12 the district may engage the person to provide school safety or
13 security consulting services to the district.

14 SECTION 23. Subchapter G, Chapter 37, Education Code, is
15 amended by adding Sections 37.221 and 37.222 to read as follows:

16 Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) At least
17 once every five years, the center shall review the facilities
18 standards for instructional facilities adopted under Section 7.061
19 and make recommendations to the commissioner regarding any changes
20 necessary to ensure that the facilities standards reflect best
21 practices for improving school safety through the design and
22 construction of school facilities.

23 (b) The center and commissioner may consult with
24 stakeholders with relevant expertise regarding whether any updates
25 to requirements for the use of funds granted or allocated to school
26 districts for purposes of improving the safety and security of
27 school facilities are necessary to align with best practices.

1 (c) In updating facilities standards, the commissioner
2 shall:

3 (1) incorporate input from the center and stakeholders
4 with relevant expertise regarding best practices for standards
5 applicable to the design and construction of school facilities; and

6 (2) ensure the standards are updated as necessary to
7 ensure compliance with any changes to state law and local building
8 codes.

9 Sec. 37.222. RESOURCES ON SAFE FIREARM STORAGE. (a) The
10 center, in collaboration with the Department of Public Safety,
11 shall provide to each school district and open-enrollment charter
12 school information and other resources regarding the safe storage
13 of firearms for distribution by the district or school under
14 Subsection (b), including information on:

15 (1) the offense under Section 46.13, Penal Code; and
16 (2) ways in which parents and guardians can
17 effectively prevent children from accessing firearms.

18 (b) Each school district and open-enrollment charter school
19 shall provide the information and other resources described under
20 Subsection (a) to the parent or guardian of each student enrolled in
21 the district or school.

22 SECTION 24. Chapter 37, Education Code, is amended by
23 adding Subchapter J to read as follows:

24 SUBCHAPTER J. SAFETY AND SECURITY REQUIREMENTS FOR FACILITIES

25 Sec. 37.351. FACILITIES STANDARDS COMPLIANCE. (a) A school
26 district must ensure that each district facility complies with each
27 school facilities standard, including performance standards and

1 operational requirements, related to safety and security adopted
2 under Section 7.061(c) or provided by other law or agency rule.

3 (b) A school district must develop and maintain
4 documentation of the district's implementation of and compliance
5 with school safety and security facilities standards for each
6 district facility, and, if requested by the agency, provide that
7 documentation to the agency in the manner prescribed by the agency.

8 (c) A school district shall provide the documentation
9 described by Subsection (b) to:

10 (1) the district's school safety and security
11 committee established under Section 37.109; and

12 (2) the board of trustees of the district.

13 Sec. 37.352. GOOD CAUSE EXCEPTION. (a) If a school district
14 is unable to bring a district facility into compliance with a school
15 facilities standard related to safety and security, the district
16 may claim a good cause exception from the requirement to comply with
17 that standard, including for a reason related to:

18 (1) the age, physical design, or location of the
19 noncompliant facility;

20 (2) the projected remaining use or functional life of
21 the noncompliant facility;

22 (3) availability of funding; or

23 (4) supply chain obstacles.

24 (b) A school district that claims a good cause exception
25 under Subsection (a) must develop an alternative performance
26 standard with which the district is able to comply.

27 Sec. 37.353. USE OF FUNDING FOR FACILITIES STANDARDS

1 COMPLIANCE. The commissioner may authorize a school district to
2 use money provided to the district for the purpose of improving
3 school safety and security, including the school safety allotment
4 under Section 48.115 or any other funding or grant money available
5 to the district for that purpose, to comply with the requirements of
6 this subchapter.

7 SECTION 25. Section 38.022, Education Code, is amended by
8 amending Subsection (a) and adding Subsection (a-1) to read as
9 follows:

10 (a) A school district may require a person who enters
11 property under the district's control [~~a district campus~~] to
12 display the person's driver's license, [~~or~~] another form of
13 identification containing the person's photograph issued by a
14 governmental entity, or, if applicable, the person's district
15 employee or student identification card. The person must provide
16 the identification on request.

17 (a-1) A school district may eject a person from district
18 property if:

19 (1) the person refuses or fails to provide on request
20 identification described by Subsection (a); and

21 (2) it reasonably appears that the person has no
22 legitimate reason to be on district property.

23 SECTION 26. Subchapter A, Chapter 38, Education Code, is
24 amended by adding Sections 38.040, 38.046, and 38.047 to read as
25 follows:

26 Sec. 38.040. FENTANYL ABUSE PREVENTION AND DRUG POISONING
27 AWARENESS EDUCATION. (a) Each school district shall annually

1 provide research-based instruction related to fentanyl abuse
2 prevention and drug poisoning awareness to students in grades 6
3 through 12.

4 (b) The instruction required by this section must include:

5 (1) suicide prevention;

6 (2) prevention of the abuse of and addiction to
7 fentanyl;

8 (3) awareness of local school and community resources
9 and any processes involved in accessing those resources; and

10 (4) health education that includes information about
11 substance use and abuse, including youth substance use and abuse.

12 (c) The instruction required by this section may be provided
13 by an entity or an employee or agent of an entity that is:

14 (1) a public or private institution of higher
15 education;

16 (2) a library;

17 (3) a community service organization;

18 (4) a religious organization;

19 (5) a local public health agency; or

20 (6) an organization employing mental health
21 professionals.

22 Sec. 38.046. FENTANYL CONTAMINATION TRAINING PROGRAM FOR
23 SCHOOL PERSONNEL. (a) The agency, in cooperation with The
24 University of Texas Health Science Center at San Antonio, shall
25 develop:

26 (1) an evidence-based curriculum for students in
27 grades 6 through 12 on the dangers of fentanyl contamination for use

1 by school district and open-enrollment charter school employees;
2 and

3 (2) a professional development training program on
4 providing the training developed under Subdivision (1).

5 (b) The agency shall distribute curriculum and training
6 materials for the training program developed under this section to
7 each regional education service center.

8 Sec. 38.047. FENTANYL CONTAMINATION GRANT PROGRAM. (a) The
9 agency shall establish a grant program to provide funding to school
10 districts and open-enrollment charter schools for community and
11 school outreach programs on the dangers of fentanyl contamination.

12 (b) The commissioner may adopt rules as necessary to
13 administer the grant program established under this section.

14 SECTION 27. Section 38.351, Education Code, is amended by
15 adding Subsection (g-1) to read as follows:

16 (g-1) A school district may satisfy a requirement to
17 implement a program in the area of substance abuse prevention and
18 intervention by providing instruction related to youth substance
19 use and abuse education under Section 38.040.

20 SECTION 28. Subchapter E, Chapter 45, Education Code, is
21 amended by adding Section 45.1011 to read as follows:

22 Sec. 45.1011. USE OF BOND PROCEEDS FOR SCHOOL SAFETY
23 COMPLIANCE. (a) The proceeds of bonds issued by a school district
24 for the construction and equipment of school buildings in the
25 district and the purchase of the necessary sites for school
26 buildings may be used to pay the costs associated with complying
27 with school safety and security requirements for school facilities

1 in accordance with Section 37.352.

2 (b) This subsection applies to a school district that has
3 been determined by the agency, through the agency's monitoring of
4 safety and security requirements under Section 37.1083, to not be
5 in compliance with those requirements. Notwithstanding any other
6 law, a school district to which this subsection applies must use a
7 sufficient amount of the proceeds of bonds described by Subsection
8 (a) to achieve compliance with applicable safety and security
9 requirements in accordance with Section 37.352 before the district
10 may use those proceeds for any other authorized purpose.

11 SECTION 29. Subtitle I, Title 2, Education Code, is amended
12 by adding Chapter 47A to read as follows:

13 CHAPTER 47A. STATE SCHOOL SAFETY FUND AND GRANTS

14 Sec. 47A.001. DEFINITIONS. In this chapter:

15 (1) "Corporation" means the Texas Permanent School
16 Fund Corporation established under Chapter 43.

17 (2) "Fund" means the state school safety fund
18 established under Section 7, Article VII, Texas Constitution.

19 (3) "Program" means the school safety grant program.

20 Sec. 47A.002. DEPOSITS TO FUND BY COMMISSIONER.

21 Notwithstanding any other law, including Section 48.265, if the
22 commissioner determines that the amount appropriated for a state
23 fiscal year for purposes of administering the Foundation School
24 Program exceeds the amount to which school districts and
25 open-enrollment charter schools are entitled under Chapters 46, 48,
26 and 49 for that year, the commissioner shall deposit a portion of
27 that excess, up to 100 percent, to the credit of the fund.

1 Sec. 47A.003. USES OF FUND. Money in the fund may only be
2 used to provide grants to school districts and open-enrollment
3 charter schools to enhance school safety under Section 47A.005.

4 Sec. 47A.004. ADMINISTRATION OF FUND. (a) The corporation
5 shall hold and invest the fund with the objective of maintaining
6 sufficient liquidity to meet the needs of the fund while striving to
7 maximize returns. In managing the assets of the fund, through
8 procedures and subject to restrictions the corporation considers
9 appropriate, the corporation may acquire, exchange, sell,
10 supervise, manage, or retain any type of investment that a person of
11 ordinary prudence, discretion, and intelligence, exercising
12 reasonable care, skill, and caution, would acquire, exchange, sell,
13 supervise, manage, or retain in light of the fund's investment
14 objective.

15 (b) The corporation may charge a fee not to exceed the
16 amount necessary to cover the costs estimated to be incurred by the
17 corporation in managing and investing the fund. The fee may be
18 assessed on the available balance of the fund each fiscal year.

19 Sec. 47A.005. SCHOOL SAFETY GRANTS. (a) The commissioner
20 shall establish a school safety grant program using proceeds of the
21 fund to provide grants to school districts and open-enrollment
22 charter schools.

23 (b) The commissioner may only award a grant to a school
24 district or open-enrollment charter school to reimburse or provide
25 funding for the district or school for expenditures required for
26 the implementation of school safety standards and requirements that
27 have been approved by the agency.

1 (c) The commissioner may award grants each school year in an
2 amount not to exceed \$10 million to a school district or
3 open-enrollment charter school.

4 (d) The commissioner may award grants each school year not
5 to exceed a total amount of \$500 million.

6 (e) If the amount of grant requests under the program
7 exceeds \$500 million in a school year, the commissioner shall
8 proportionately reduce the amount of each grant in that school year
9 in an amount necessary to limit the total amount of grants provided
10 to \$500 million.

11 (f) Notwithstanding Subsection (c) and subject to the
12 limitation under Subsection (d), if excess funds are available for
13 a school year, the commissioner may provide additional grants to
14 school districts and open-enrollment charter schools that incurred
15 eligible expenses of more than \$10 million in that school year.

16 Sec. 47A.006. TRANSFER OF MONEY TO COMMUNITIES IN SCHOOLS
17 PROGRAM. Each school year, if excess funds are available, the
18 commissioner shall transfer an amount not to exceed \$25 million
19 from the fund to the Communities In Schools program under
20 Subchapter E, Chapter 33. The commissioner shall allocate money
21 transferred under this section to local Communities In Schools
22 programs using the funding formula developed under Section 33.156.

23 Sec. 47A.007. RULES. The commissioner, in consultation
24 with the corporation, may adopt rules as necessary to implement
25 this chapter.

26 SECTION 30. Section 48.115, Education Code, is amended by
27 amending Subsections (a) and (b) and adding Subsection (a-1) to

1 read as follows:

2 (a) A [~~From funds appropriated for that purpose, the~~
3 ~~commissioner shall provide to a~~] school district is entitled to an
4 annual allotment equal to the sum of the following amounts or a
5 greater [~~in the~~] amount provided by appropriation:

6 (1) \$100 for each student in average daily attendance,
7 plus \$1 for each student in average daily attendance per every \$50
8 by which the district's maximum basic allotment under Section
9 48.051 exceeds \$6,160, prorated as necessary; and

10 (2) \$15,000 per campus.

11 (a-1) A school district campus that provides only virtual
12 instruction or utilizes only facilities not subject to the
13 district's control is not included for purposes of determining a
14 school district's allotment under Subsection (a).

15 (b) Funds allocated under this section must be used to
16 improve school safety and security, including costs associated
17 with:

18 (1) securing school facilities in accordance with the
19 requirements of Section 37.352, including:

20 (A) improvements to school infrastructure;

21 (B) the use or installation of perimeter security
22 fencing conducive to a public school learning environment or
23 physical barriers, which may not include razor wire fencing; [and]

24 (C) exterior door and window safety and security
25 upgrades, including exterior door numbering and locking systems and
26 security film that provides resistance to a forced entry; and

27 (D) the purchase and maintenance of:

1 (i) security cameras and, if the district
2 has already installed security cameras, [~~or~~] other security
3 equipment; and

4 (ii) technology, including communications
5 systems or devices, such as silent panic alert devices, two-way
6 radios, or wireless Internet booster equipment, that facilitates
7 communication and information sharing between students, school
8 personnel, and first responders in an emergency;

9 (2) providing security for the district, including:

10 (A) employing school district peace officers,
11 private security officers, [~~and~~] school marshals, and other persons
12 authorized by the board of trustees of the district and permitted by
13 law to carry a weapon on school campus grounds; and

14 (B) collaborating with local law enforcement
15 agencies, such as entering into a memorandum of understanding for
16 the assignment of school resource officers to schools in the
17 district;

18 (3) school safety and security measures [~~training and~~
19 ~~planning~~], including:

20 (A) active shooter and emergency response
21 training;

22 (B) prevention and treatment programs relating
23 to addressing adverse childhood experiences; and

24 (C) the prevention, identification, and
25 management of emergencies and threats, using evidence-based,
26 effective prevention practices and including:

27 (i) providing licensed counselors, social

1 workers, and individuals trained in restorative discipline and
2 restorative justice practices;

3 (ii) providing mental health personnel and
4 support;

5 (iii) providing behavioral health
6 services;

7 (iv) establishing threat reporting
8 systems; and

9 (v) developing and implementing programs
10 focused on restorative justice practices, culturally relevant
11 instruction, and providing mental health support; ~~and~~

12 (4) providing programs related to suicide prevention,
13 intervention, and postvention; and

14 (5) employing a school safety director and other
15 personnel to manage and monitor school safety initiatives and the
16 implementation of school safety requirements for the district.

17 SECTION 31. Subchapter B, Chapter 85, Local Government
18 Code, is amended by adding Section 85.024 to read as follows:

19 Sec. 85.024. SCHOOL SAFETY MEETINGS. (a) The sheriff of a
20 county in which a public school is located shall call and conduct
21 semiannual meetings to discuss:

22 (1) school safety;

23 (2) coordinated law enforcement response to school
24 violence incidents;

25 (3) law enforcement agency capabilities;

26 (4) available resources;

27 (5) emergency radio interoperability;

1 (6) chain of command planning; and
2 (7) other related subjects proposed by a person in
3 attendance at the meeting.

4 (b) The sheriff of a county in which more than one public
5 school is located is only required to hold one semiannual meeting
6 described by Subsection (a). This subsection does not require
7 public schools located within the same county to adopt the same
8 school safety policies.

9 (c) The following persons shall attend a meeting called
10 under Subsection (a):

11 (1) the sheriff or the sheriff's designee;

12 (2) the police chief of a municipal police department
13 in the county or the police chief's designee;

14 (3) each elected constable in the county or the
15 constable's designees;

16 (4) each police chief of a school district's police
17 department or school district security coordinator from each school
18 district located in the county;

19 (5) a representative of the Department of Public
20 Safety assigned to the county;

21 (6) a representative of each other state agency with
22 commissioned peace officers assigned to the county;

23 (7) a person appointed to a command staff position at
24 an emergency medical service in the county;

25 (8) a person appointed to a command staff position at a
26 municipal emergency medical service in the county;

27 (9) a person appointed to a command staff position at a

1 fire department in the county;

2 (10) the superintendent or the superintendent's
3 designee of each school district located in the county;

4 (11) the person who serves the function of
5 superintendent, or that person's designee, in each open-enrollment
6 charter school located in the county; and

7 (12) any other person the sheriff considers
8 appropriate.

9 (d) The sheriff shall invite any federal law enforcement
10 official serving in the county to attend the meeting.

11 (e) As soon as practicable after a meeting under Subsection
12 (a), the sheriff shall submit a report to the Texas School Safety
13 Center identifying the attendees of the meeting and the subjects
14 discussed. The Texas School Safety Center shall maintain the report
15 and make it publicly available on the center's Internet website.
16 The center may not make publicly available and shall redact any
17 parts of a report that the center determines may expose a safety
18 vulnerability of a school district facility.

19 SECTION 32. Section 1701.253, Occupations Code, is amended
20 by adding Subsection (q) to read as follows:

21 (q) As part of the minimum curriculum requirements, the
22 commission shall require an officer to complete a training program
23 on responding to an active shooter as provided by the Advanced Law
24 Enforcement Rapid Response Training Center at Texas State
25 University--San Marcos, or a similar organization approved by the
26 commission. An officer shall complete the program not later than
27 the second anniversary of the date the officer is licensed under

1 this chapter unless the officer completes the program as part of the
2 officer's basic training course. Completion of a training program
3 under this subsection satisfies any other requirement for the
4 officer to complete a training program on responding to active
5 shooters, including under Section 37.0812(a), Education Code.

6 SECTION 33. Subchapter F, Chapter 1701, Occupations Code,
7 is amended by adding Section 1701.2635 to read as follows:

8 Sec. 1701.2635. ACTIVE SHOOTER TRAINING FOR OFFICERS AT
9 PUBLIC SCHOOLS. (a) This section applies to a:

10 (1) school district peace officer as defined by
11 Section 1701.262; and

12 (2) school resource officer as defined by Section
13 1701.601.

14 (b) An officer to whom this section applies shall complete a
15 one-time training program on responding to an active shooter as
16 provided by the Advanced Law Enforcement Rapid Response Training
17 Center at Texas State University--San Marcos, or a similar
18 organization approved by the commission, before or within two years
19 of beginning to provide law enforcement services at a public
20 primary or secondary school.

21 (c) Completion of a training program under this section
22 satisfies any other requirement that the officer complete a
23 training program on responding to active shooters, including under
24 Section 37.0812(a), Education Code.

25 SECTION 34. The change in law made by this Act to Section
26 37.081, Education Code, applies only to a memorandum of
27 understanding under that section that is entered into on or after

1 September 1, 2023.

2 SECTION 35. As soon as practicable after the effective date
3 of this Act, the Texas Education Agency shall establish the office
4 of school safety and security and the governor shall appoint the
5 director of that office as required by Section 37.1083, Education
6 Code, as added by this Act.

7 SECTION 36. Section 37.1084(c), Education Code, as added by
8 this Act, applies only to a superintendent, administrator serving
9 as educational leader and chief executive officer of a school
10 district or open-enrollment charter school, or other administrator
11 of the district or school employed under a contract entered into on
12 or after the effective date of this Act.

13 SECTION 37. Section 45.1011, Education Code, as added by
14 this Act, applies only to a bond authorized to be issued at an
15 election held on or after the effective date of this Act.

16 SECTION 38. (a) As soon as practicable after the effective
17 date of this Act, the Texas Commission on Law Enforcement shall
18 adopt rules to implement Sections 1701.253(q) and 1701.2635,
19 Occupations Code, as added by this Act.

20 (b) The minimum curriculum requirements under Section
21 1701.253(q), Occupations Code, as added by this Act, apply only to
22 an officer who first begins to satisfy those requirements on or
23 after January 1, 2024.

24 (c) Notwithstanding Section 1701.2635, Occupations Code, as
25 added by this Act, an officer who holds a license under Chapter
26 1701, Occupations Code, on September 1, 2023, and to whom that
27 section applies shall complete the training program required by

1 that section not later than September 1, 2025.

2 SECTION 39. To the extent of any conflict, this Act prevails
3 over another Act of the 88th Legislature, Regular Session, 2023,
4 relating to nonsubstantive additions to and corrections in enacted
5 codes.

6 SECTION 40. (a) Except as provided by Subsections (b) and
7 (c) of this section, this Act applies beginning with the 2023-2024
8 school year.

9 (b) Notwithstanding Section 22.904, Education Code, as
10 added by this Act, a school district must require the district's
11 employees to complete the mental health first aid training required
12 under that section as follows:

13 (1) at least 25 percent of the applicable district
14 employees before the beginning of the 2025-2026 school year;

15 (2) at least 50 percent of the applicable district
16 employees before the beginning of the 2026-2027 school year;

17 (3) at least 75 percent of the applicable district
18 employees before the beginning of the 2027-2028 school year; and

19 (4) 100 percent of the applicable district employees
20 before the beginning of the 2028-2029 school year.

21 (c) Chapter 47A, Education Code, as added by this Act,
22 applies beginning with the 2024-2025 school year.

23 SECTION 41. (a) Except as provided by Subsections (b) and
24 (c) of this section, this Act takes effect immediately if it
25 receives a vote of two-thirds of all the members elected to each
26 house, as provided by Section 39, Article III, Texas Constitution.
27 If this Act does not receive the vote necessary for immediate

1 effect, this Act takes effect September 1, 2023.

2 (b) Section 48.115, Education Code, as amended by this Act,
3 takes effect September 1, 2023.

4 (c) Section 29 of this Act takes effect January 1, 2024, but
5 only if the constitutional amendment proposed by the 88th
6 Legislature, Regular Session, 2023, creating the state school
7 safety fund to provide financial support for projects that enhance
8 the safety of public schools in this state is approved by the
9 voters. If that constitutional amendment is not approved by the
10 voters, Section 29 of this Act has no effect.