



Dan Huberty  
Chairman

COMMITTEE ON PUBLIC EDUCATION  
TEXAS HOUSE OF REPRESENTATIVES  
P.O. Box 2910  
AUSTIN, TEXAS 78768-2910  
(512) 463-0804

Diego Bernal  
Vice Chairman

September 4, 2018

The Honorable Joe Straus  
Speaker of the Texas House of Representatives  
P.O. Box 2910  
Austin, Texas 78768

Speaker Straus:

In response to the tragic shooting at Santa Fe High School on May 18, 2018, you charged the House Committee on Public Education (“the committee”) with the following:

*Review the effectiveness of schools' current multi-hazard emergency operation plans. Determine any areas of deficiency and make recommendations to ensure student safety. Research violence prevention strategies, such as threat assessment, that are available for school personnel to identify students who might pose a threat to themselves or others. Identify resources and training available to schools to help them develop intervention plans that address the underlying problems that caused the threatening behavior;*

*Examine current school facilities and grounds. Consider any research-based 'best practices' when designing a school to provide a more secure environment. Review the effectiveness of installing metal detectors, cameras, safety locks, streaming video of school security cameras, and other measures designed to improve school safety; and*

*Consider testimony provided at the May 17 House Public Health Committee hearing regarding improving mental health services for children. Identify specific strategies that would enhance overall school safety. Study ways to help parents, youth and primary care providers support school personnel in their efforts to identify and intervene early when mental health problems arise. In addition to school-based trauma-informed programs and those that treat early psychosis, consider the benefits of universal screening tools and expanding the Child Psychiatry Access Program (CPAP). Make recommendations to enhance collaboration among the Health and Human Services Commission, the Texas Education Agency, local mental health authorities, and education service centers. (Joint with Public Health).*

**Members**

Alma A. Allen • Dwayne Bohac • Joe Deshotel • Harold V. Dutton, Jr. • Lance Gooden • Ken King • Linda Koop • Morgan Meyer • Gary VanDeaver

The committee considered these charges in two public hearings, one of which was a joint hearing with the House Committee on Public Health. Although the hearings have concluded, the committee will continue to monitor activities related to this subject throughout the fall.

At these hearings, the committee received testimony from a wide variety of experts, including the Texas Education Agency (TEA), the Texas School Safety Center (TSSC), the Health & Human Services Commission (HHSC), representatives from school districts and regional education service centers (ESCs), representatives from law enforcement agencies, representatives from local mental health authorities, and many others.

A preliminary report on the findings and recommendations of the committee follows.

### **Mental Health & Well-Being**

According to Commissioner of Education Mike Morath, schools are generally safe but when they are not, it is due to failures in relationships. To fix this problem in the short term, strengthening our existing safety systems is key; in the long term, the focus should be on preventing students from going down a path towards violence.

One in 10 children has a mental illness serious enough to impair home or school functioning, and in 2017, 12 percent of Texas high school students attempted suicide. These shocking statistics clearly indicate that Texas students are not receiving the mental health services that they need both inside and outside the schoolhouse. Stress and trauma, both high-level (ex. physical or emotional abuse) and low-level (ex. insecurity regarding food or home), can place children in “fight or flight” mode. In circumstances where stress is ongoing, the brain is constantly bathed in the stress hormone cortisol, which in turn impairs the prefrontal cortex, a part of the brain that plays a large part in personality development and behavior moderation. Research has shown that children who experience these adverse childhood experiences (ACEs) have a higher risk of both mental and physical conditions (ex. heart disease), later in life. However, this negative impact can be prevented if students are equipped with effective coping skills and taught how to self-regulate their own mental states. Schools can get ahead of some mental health issues by fostering an environment that focuses on the mental literacy and well-being of its students.

Social emotional learning (SEL) is a process that can be used to help students develop fundamental life skills, such as how to manage emotions, make responsible decisions, and handle life’s challenges in constructive ways, all of which are important to mental well-being. Some programs focus on teaching students to understand their mental states and emotional responses, while others are centered on relationship skills and healthy interactions with others. Character education programs use SEL concepts to cultivate an environment that stresses positive character traits, such as courage, honesty, and kindness. Texas currently allows districts to provide character education programs that meet certain criteria but does not require local education agencies (LEAs) to offer such programs. One way to ensure that all students are provided some sort of SEL or character education would be to either integrate these concepts into the existing Texas Essential Knowledge and Skills (TEKS) or to add new TEKS to include these concepts as a separate subject. TEA is also developing new State Board of Education (SBOE)

standards that would require educator preparation programs to include certain effective classroom management practices that cover these concepts.

**Recommendation** – The Legislature should require the SBOE to include character education in the TEKS, by either integrating it into the existing TEKS or creating separate standards for this subject.

Trauma-informed education takes into account how exposure to ACEs can impact child development. When teachers use trauma informed classroom practices, a student’s behavior is not viewed in isolation but through the context of his or her background and current circumstances. Trauma informed practices can be even more important for students with intellectual or other developmental disabilities, because these students tend to be at a higher risk for experiencing trauma but also less likely to be referred for mental or trauma services. Another benefit of this concept is that all personnel on a campus can be trained in these practices, surrounding the students with adults that know how to build trusting relationships with them and can help them learn appropriate behaviors and coping mechanisms.

Positive Behavioral Interventions and Supports (PBIS) is a framework that helps schools adopt strategies to decrease behavior issues and improve campus cultures by focusing on prevention and the promotion of positive outcomes rather than punishment. The Region 4 ESC leads the statewide Texas Behavior Support Network, which supports efforts to encourage the implementation of PBIS using online resources and training opportunities. The concept of restorative discipline, which focuses on meaningful accountability rather than punishment and social engagement rather than exclusionary discipline, fits easily into the PBIS framework. Seventy percent of children in the juvenile justice system suffer from mental disorders. Implementing programs such as PBIS can help direct these students away from the juvenile justice system and towards the mental health services they need to be able to succeed in the classroom.

**Recommendation** – The Legislature should consider ways to encourage LEAs to adopt trauma-informed, PBIS, and restorative discipline practices in order to create healthy and positive campus environments, which in turn promote school safety.

Another important aspect to students’ mental well-being is finding ways to reduce the stigma surrounding mental health. This stigma can prevent those suffering from mental health problems from seeking the treatment they need, especially in a school setting where being seen as “different” can bring about a whole new set of problems. The University of Texas Southwestern Medical Center at Dallas is currently studying a program called Youth Aware of Mental Health (YAM) that initiates student conversations about mental health and suicide. Programs like YAM can help give students the tools they need to discuss mental health, for the benefit of themselves as well as their classmates.

**Recommendation** – The SBOE should modify the Health Education TEKS to increase the focus on mental health, including an emphasis on reducing the stigma surrounding mental illness and seeking treatment.

The Mental Health First Aid (MHFA) program can provide the same tools for school personnel. The goal of the program is to teach staff how to recognize and understand mental illness and to engage a person that might be in crisis. MHFA training is currently offered by local mental health authorities

(LMHAs) across the state, and the regional ESCs have partnered with them to host the training sessions, in order to make attendance more convenient for school personnel. This training is provided at no cost, and the number of opportunities for educators to receive this training has been increased leading up to the 2018-19 school year.

**Recommendation** – The Legislature should require all school personnel to participate in MHFA training and provide the necessary financial resources to ensure there are no barriers to making this training available to all school personnel.

The Telemedicine Wellness, Intervention, Triage, and Referral (TWITR) Project, developed by the Texas Tech University Health Science Center (TTUHSC) in 2013, provides mental health screening, assessment, and referral services to students using telemedicine technology. To date, the project has focused on small, rural districts that either lack school counselors or are in communities with limited access to mental health resources. Under TWITR, school personnel are trained on the program’s referral process. After a student is referred, a screening is completed by a licensed professional counselor (LPC) from TWITR at the school. After screening, about half of the referred students undergo a more extensive assessment with the LPC and then if needed, the student can be assessed by a TTUHSC psychiatrist via telemedicine in order to get a diagnosis that will direct the student into appropriate treatment. In order to expand this model across the state, TTUHSC would train other professionals at other entities, such as academic health science centers, to adopt the model, possibly with some sort of technical assistance and monitoring function performed by TTUHSC to ensure that the program was being operated with fidelity.

**Recommendation** – The Legislature should ensure that LEAs in rural areas or communities that have limited access to mental health services have the financial resources needed to participate in TWITR or similar programs utilizing telemedicine for psychiatric screenings.

In addition to these methods to recognize and assess mental health needs, LEAs are also engaging in innovative partnerships with professionals outside the schools to ensure their students have access to mental health care. For example, Elgin Independent School District (ISD) has partnered with its local LMHA, Bluebonnet Trails Community Services, to provide mental health and substance abuse services at its Family Health Center. This center, which also encompasses the local federally qualified health center for medical and dental services, is able to provide services for the entire community. After 4 years, this partnership has resulted in a reduction in missed days of schools for their students as well as an increase in access to health care for the whole community. Another example is Austin ISD, who works with Vida Clinic to operate School Mental Health Centers on 25 campuses across the district. In 2016-17, students who received services through these centers were shown to have both better attendance rates and better STAAR scores compared with students that did not receive services. At the high school campuses with centers, there was a significant decrease in aggressive offenses and suspensions following therapeutic treatment. Communities In Schools, a statewide nonprofit program that helps LEAs provide a wide array of services for their students, offers another possible model for the provision of mental health services on campus. In addition to simply increasing the number of adults at a school that are consistently engaged with students and their well-being, affiliates of this program can also place additional mental health professionals on campus or contract with outside agencies to make these services available for students.

Child Psychiatry Access Programs (CPAPs) also improve student access to services by making child psychiatry consultation services and specialized care coordination available to primary care providers (PCPs). While there has been an increase in mental health issues in children, there has not been a corresponding increase in the number of child psychiatrists available to serve these children. Seventy-five percent of children receiving mental health care receive that care from a PCP. This is sufficient in many cases but often specialist care or guidance is needed. CPAP specialists are organized into hubs located at academic medical centers across the state, and can be contacted by local PCPs for consultations, guidance, and referral services.

**Recommendation** – There are many innovative partnerships being developed across the state, and LEAs should be encouraged to work with LMHAs, institutions of higher education, and other providers, such as Communities In Schools, to integrate and increase access to mental health services for students both on and off campus. The Legislature should provide additional financial resources to encourage such partnerships.

While there are numerous examples across the state of LEAs taking innovative and proactive steps to improve the mental health of their students, many others might not have the funding, expertise, or community mental health resources available to enable these initiatives. A centralized resource serving the entire state could provide much needed assistance in this area, especially as a clearinghouse for best practices, and conduct helpful research specific to mental health in schools. ESCs already help in this regard, and could act as hubs to the centralized resource, providing local training and assistance as well as specialty services, with a focus on the varying mental health care needs in their different regions. HHSC and LMHAs could also provide meaningful contributions to this effort.

**Recommendation** – The Legislature should consider establishing a statewide resource on student mental health and well-being that can provide technical assistance and training to LEAs, bring the ESCs and their expertise together as hubs, and be a clearinghouse for best practices, similar to TSSC for school safety.

### **School Mental Health Professionals**

Currently, in-school supports for the mental health of students include counselors, licensed specialists in school psychology (LSSPs), and social workers. Ideally, these professionals work together to coordinate student services. In general, counselors are responsible for both academic and social guidance and counseling; LSSPs are responsible for screenings, evaluations, and behavioral assessments; and social workers are responsible for coordination with services outside of the school as well as liaising with the family. All three types of professionals are involved in crisis interventions, response to intervention programs, and professional development for school staff.

The current recommended student to staff ratios from the American Counseling Association and the actual ratios for Texas schools for the 2016-17 school year are as follows:

Profession	Recommended Ratio	2016-17 Actual Ratio	2016-17 Number in TX Schools
Counselor	250/1	441/1	12,112
LSSP	1,000/1	2,890/1	1,849
Social Worker	400/1	7,548/1	708

Based on this information, Texas would need to have double the number of counselors in schools, almost three times as many LSSPs, and almost 19 times as many social workers to reach the national recommended levels. Research has shown that maintaining these recommended ratios can have noticeable effect on student success. According to a 2016 report by Texas Appleseed, high schools that maintain one school counselor for every 250 students have shown lower disciplinary incidents, as well as better graduation and school attendance rates.

One issue to keep in mind when considering ways to increase the number of counselors, LSSPs, and social workers at schools is flexibility. Some LEAs need more funding to hire additional professionals, while others might already be achieving the recommended ratios. One way to achieve a reduction in ratios statewide would be to simply increase the basic allotment while simultaneously strengthening student to staff ratio requirements. This combination would allow LEAs the flexibility they need to make hires based on the needs of a particular campus.

Another issue that must be considered is that school mental health professionals often end up with duties, such as lunchroom supervision, testing administration, and special education and Section 504 coordination, that are not necessarily part of their professional training or responsibilities. Some districts have taken steps to alleviate this. For example, Frisco ISD has freed up approximately 27,000 counseling minutes by hiring a number of instructional support staff to take over testing and Section 504 related duties. Lara Hulin, a social worker with Houston ISD, uses volunteers to assist with lunch duties. Another option would be to create a special category of school counselor that would be responsible solely for academic guidance and related duties. These individuals would not be responsible for providing mental health services to students and would not require any specialized training in that area, beyond training required of all school personnel. According to TEA, the State Board of Educator Certification (SBEC) already has the authority to create a credential for this type of position.

**Recommendation** - The Legislature should provide additional financial resources for LEAs to increase the number of school mental health professionals, including counselors, LSSPs, and social workers, present on school campuses and clarify the duties expected of those professionals in statute. Districts should also be encouraged to use these resources to hire support staff to take over the clerical and administrative duties currently being handled by these professionals, and to also consider utilizing volunteers.

It is also important to keep in mind that access to mental health services can be improved in ways beyond just adding more professionals on campus. The Region 4 ESC received a grant from the Office of the Governor's Criminal Justice Division (CJD) to hire four counselors that will be located at the ESC and work with counselors at Santa Fe ISD and other LEAs in the region on an as-needed basis. The

Office of the Governor anticipates that this system could serve as a pilot for housing more mental health resources at the ESCs in the future. Considering the amount of mental health related training that is already centralized at the ESCs, this idea should be implemented for the 2018-19 school year. It would allow for the state to provide additional mental health resources, such as crisis intervention teams, for LEAs that might not be utilized on a daily basis but must be easily accessible when needed. HHSC and LMHAs should be included in this collaborative effort.

**Recommendation** – As soon as possible, and in collaboration with HHSC and LMHAs, the ESCs should establish mental health crisis intervention teams that can be utilized by the LEAs within each region as needed. The Legislature should ensure that financial resources are provided for this purpose.

### **School Safety Planning & Training**

Under Chapter 37 of the Education Code, a district is required to adopt and implement a multi-hazard emergency operation plan (EOP) for use in its facilities that includes:

- provisions related to training for district employees,
- emergency drills that include both employees and students, and
- coordination with other state and local agencies in emergency situations.

A district is also required to perform a safety and security audit of its facilities at least once every three years and to report the audit findings to its board and TSSC.

TSSC was established to serve as a statewide clearinghouse for information, training, and technical assistance related to school safety and security, as well as a central registry for school security consultants and other related contractors. While it is required to provide a model procedure for districts to use in auditing their own EOPs and to compile the results of those self-completed audits into a statewide report on school safety and security, neither TSSC nor TEA has any enforcement authority regarding the EOPs or these audits. In addition, neither entity has sufficient staff to manage this additional function – TEA currently has 0.25 full-time equivalents (FTEs) dedicated to school safety, and TSSC only has a little over 11 FTEs in its entire program, with just 4 being state-funded.

**Recommendation** – The Legislature should provide TSSC with the additional resources needed to exercise oversight and audit responsibilities over EOPs and to offer LEAs increased technical assistance and training related to those EOPs.

In 2013, the Legislature established a School Safety Task Force that was charged with creating a school safety certification program. Under this program, TSSC awarded certificates to districts that met certain criteria based on the Texas Unified School Safety and Security Standards. The program was voluntary, and participation peaked at 186 districts. The program was allowed to expire in September 2017. In its place, TSSC has initiated a School Safety Spotlight Program, through which it highlights innovative and successful ideas being utilized by LEAs. TEA and TSSC are contemplating a new certification program that would grade campuses on safety and security. It is important to keep in mind, though, that while a

system like this could be helpful to families in choosing a campus, it could also be used by bad actors to pinpoint potential targets.

**Recommendation** – If TEA and TSSC develop a new school safety certification system, the Legislature should ensure that information regarding LEA safety features is kept confidential.

Districts are also required to establish a School Safety and Security Committee (SSSC), which is responsible for developing and implementing emergency plans consistent with the district's EOP and facilitating the flow of accurate and complete information between the district and TSSC. Currently there are no legal requirements regarding the composition of the SSSC. However, TSSC is required to provide guidelines to districts regarding recommended members, such as local law enforcement and certain district personnel. One of TSSC's suggestions was to require school boards and local law enforcement to sign off on LEAs' EOPs; but this approval could be accomplished by having representatives from these groups on the LEA's SSSC.

**Recommendation** – The Legislature should require TSSC recommended parties to be represented on SSSCs.

While charters often adopt EOPs to satisfy municipal or insurance requirements, current law does not require them to do so. They are also not required by law to establish an SSSC.

**Recommendation** – The Legislature should ensure that statutory provisions related to school safety that apply to districts also apply to charters.

TEA is not required or authorized to directly provide any safety and security training for districts. TEA is also not authorized to collect information from LEAs regarding the type or frequency of training they provide for their staff. This information could be collected as new data elements in the Public Education Information Management System (PEIMS) and used as part of the new school safety certification program discussed previously.

**Recommendation** – The Legislature should authorize TEA to collect information regarding the type and frequency of training related to school safety that LEAs provide for staff.

Although TEA lacks authority regarding safety training, numerous resources are available to districts statewide. TSSC provides a number of training opportunities for LEAs, including:

- School Threat Assessment workshops, in conjunction with Sigma Threat Assessment;
- Standard Response Protocol and Standard Reunification Model "Train the Trainer" workshops, in conjunction with the I Love You Guys Foundation; and
- EOP development workshops.

School Threat Assessment workshops teach school personnel how to establish threat management teams to identify students in crisis. It also helps personnel to determine if student behavior is an actual threat and how to appropriately intervene. With the recent increase in student arrests, this type of training has become very important. For example, the state has incidences of students being charged with making a "terroristic threat" increase since Spring 2018. In many cases, these students are using extreme measures



to bring attention to their mental distress rather than making a credible threat. Not only can this type of training help school personnel tell the difference, it can help a number of students receive the treatment they desperately need.

The Standard Response Protocol developed by the I Love You Guys Foundation focuses on providing LEAs and first responders with a common vocabulary to use during emergency scenarios, as well as a basic protocol that is easy to remember and implement. The foundation's Standard Reunification Model provides methods to assist LEAs with reuniting students and families after a crisis event. Both models are easily adapted to the wide variety of schools that exist in Texas; they can be utilized whether a school is urban or rural, large or small, housed in a single building or spread out across a multi-building campus.

In 2013, the FBI named the Advanced Law Enforcement Rapid Response Training Center (ALERRT), housed at Texas State University, as the national standard in active shooter response. ALERRT provides active shooter response training for law enforcement. In addition to training, ALERRT also conducts research to inform school safety best practices. For example, medical personnel were often not allowed in the building where an event had occurred until it was thoroughly searched. The center now recommends that active shooter response teams incorporate EMS personnel in order to get medical assistance into the buildings as quickly as possible. In the past, ALERRT has been able to provide training to officers at no charge, through CJD funding, but has been informed that it will need to begin charging a training fee in fiscal year 2019.

Many of these training sessions are held at education service centers across the state and are available at no cost to the LEA. TSSC also received a \$81,000 grant this summer to add additional sessions of the School Threat Assessment, Standard Response Protocol/Standard Reunification Method and EOP development workshops in order to reach as many school personnel as possible before the 2018-19 school year.

It should be noted that many charter schools attend the training offered by TSSC and the regional education service centers. The Texas Charter School Association also provides training opportunities, such as active shooter response, as well as model policies that mirror Chapter 37 provisions.

**Recommendation** – The CJD should continue to support increased training opportunities for school personnel at all LEAs, including charter schools, and the Legislature should consider additional funding for these efforts when developing the FY20-21 budget.

One issue that seems to be a common factor amongst school shootings is the difficulty in notifying parents of the victims. In Texas, the medical examiner is required to identify the victims after this type of incident, and it can take some time for law enforcement to sufficiently secure the building for the medical examiner to be allowed access. Multijurisdictional training and drills can ensure that this process is completed as quickly as possible.

**Recommendation** – The Legislature should require EOPs to include training and drills that are specifically geared to improving parental notification response times.

## School Security Infrastructure

In the immediate aftermath of the Santa Fe shooting, the initial tendency was to say that campuses need to be "hardened" with physical security improvements, such as metal detectors and safe rooms. However, testimony from law enforcement and district personnel indicated that priority funding could be better spent on improving "softer" infrastructure, such as communications between schools and first responders, and increasing security personnel.

Both district and law enforcement representatives spoke to the importance of communications interoperability. In order for first responders to respond effectively to an emergency, they must be able to coordinate by communicating with each other instantly and easily. Reports on the Columbine, Sandy Hook and Parkland shootings indicated that there was a lack of communication capability between different agencies, problems with police radios working inside the buildings, and communications systems being overwhelmed with traffic. Throughout the testimony, it became apparent that schools need to work with their local law enforcement and emergency services agencies to ensure that communications equipment is interoperable and that systems are sufficient enough to handle the increased level of use that would be needed in an emergency.

Mobile apps with "soft" panic buttons were extensively discussed, and there are several different examples currently being utilized by districts. Generally, these apps are available for staff to download to their mobile phones and/or computers and will notify the authorities that an emergency situation is in progress when pressed. They vary in the details, such as who receives the notification, and in the additional information available to responders, such as campus maps or video. One of the examples discussed was notable for including notification for parents and the general public, while others focused on the importance of notifying nearby law enforcement in order to speed up response times.

**Recommendation** – The Legislature should provide TSSC with necessary resources to conduct a study regarding communications interoperability between LEAs, local law enforcement and other first responders, including the use of "soft" panic buttons, and recommend if state-level assistance with resources or planning is needed.

Multiple witnesses expressed concerns about existing alarm systems. During the confusion of an emergency situation, like the Santa Fe shooting, staff and students need clear direction regarding whether to evacuate the building or shelter in place. In certain active shooter cases, the perpetrator has pulled the fire alarm, triggering an evacuation. These evacuations often put students and school personnel in more dangerous situations than if they were to just shelter in place. There are also concerns that even if a school has a specific lockdown alarm, a fire alarm pull station could be accidentally pulled by a panicked victim during an event or even by a shooter to intentionally create confusion. It should additionally be noted that in some jurisdictions, these pull stations are not required in buildings that have been equipped with sprinkler systems.

Concerns regarding "lockdown" protocols and door locks were also discussed. ALERRT has found that these protocols can be useful but not all school doors are well-equipped for this response; some have to be locked from the outside with a key or cannot be locked at all. LEAs can replace existing locks with ones that can be locked from the inside or provide less expensive barricade devices, which can be used to stop a door from being opened. In most situations, locked doors have been a sufficient barrier in

school shooting events and are preferable to barricade devices, which can restrict first responder access and are generally not compliant with the Americans with Disabilities Act regulations or fire and life safety codes. ALERRT also has the ability to model different active shooter scenarios to determine the types of safety enhancements that have the most impact on response times and fatality rates, which could provide useful information to LEAs as they decide how to invest limited funds in this sort of equipment.

**Recommendation** – When planning for safety retrofits, LEAs should consider available research on the impact of different types of safety enhancements to determine how to best invest funding. LEAs should consider also alarm systems that provide a variety of different alarms and replacing fire alarm pulls stations with sprinkler systems, where allowed under the local fire code, as well as door locks that can be controlled from inside the classroom by school personnel.

Another important aspect to remember as schools are retrofitted for security purposes is mental health. One likely outcome of this tragic event is the expansion of mental health services available to students on campus. But students might be hesitant to publicly access services due to the stigma surrounding mental illness. As districts plan campus safety retrofits, they should consider providing private, special places for these services to be provided.

Generally, retrofitting an existing campus for school safety costs somewhere between \$500,000 to \$1,000,000. Because retrofitting existing campuses with safety enhancements would be a one-time cost, it is possible that the Legislature could vote to utilize the economic stabilization fund for this purpose. However, at this point in time, the state does not have a good estimate on the level of need statewide for campus retrofits.

**Recommendation** – TEA should conduct a survey to determine the statewide need for campus safety retrofits. State funding provided for these retrofits should be prioritized based on the survey results and LEA financial need.

Another suggestion from law enforcement was to strive for a 60/40 split between personnel and equipment or capital purchases when funding school safety. The rationale for this breakdown is that security systems can fail and that those systems are about preventing events but cannot stop them once they start. Only first responders can intervene in an event already in progress.

**Recommendation** – Due to the vast differences in the needs of LEAs across Texas, the Legislature should allow flexibility on expenditures if the decision is made to provide state funding for school safety related capital items, including an option to focus funding on school safety personnel rather than capital items.

## **Law Enforcement Resources**

Law enforcement personnel are a fundamental part of any school security system. A district has several options when it comes to placing commissioned peace officers at schools:

- Create its own police departments by commissioning district police officers;
- Enter into a memorandum of understanding with other governmental entities that commission peace officers to place those officers at schools (school resource officers); or
- Hire commissioned peace officers as private security personnel.

A district is also authorized to adopt a “guardian plan,” a local policy that allows certain employees to carry firearms on school premises, or to appoint school marshals, who must undergo a psychological exam and 80 hours of instruction in order to be licensed to carry a weapon on campus.

While a charter school is not authorized under current law to commission its own peace officers, it may contract with local entities for school resource officers and appoint school marshals. The Texas Charter School Association has been contacted by several charter schools looking for additional information about implementing guardian plans, but it is unclear whether they are currently authorized to do so.

**Recommendation** – The Legislature should clarify the security personnel options that are available to charters.

Testimony from law enforcement personnel indicated concern about having armed civilian school personnel, such as school marshals or guardians, on campus. Such individuals could create confusion during an emergency situation if peace officers and other first responders are not aware of their existence. Another concern is the level of training these individuals have compared to commissioned peace officers. Even with their extensive training, officers may have a difficult time responding dispassionately in a crisis, and this problem could be magnified if the situation involves an armed teacher and student shooter; however, they recognized that these personnel could be necessary in rural areas due to a lack of available peace officers.

Dr. Elizabeth Fagen, Superintendent for Humble ISD, argued that district commissioned peace officers are ideal because not only do they have more extensive training specific to the school environment, they also have made a proactive choice that indicates they want to work on campus. Unfortunately, some small districts do not have the resources needed to create their own police department.

**Recommendation** – While LEAs should be allowed the flexibility to determine how to best provide security for their own campuses, consideration should be given to the overwhelming testimony regarding the benefits of having increased numbers of law enforcement officers that have been trained to work with children in educational settings.

**Recommendation** – The Legislature should consider giving small districts the option to create joint police departments with other districts.

Lauren Rose with Texans Care for Children cautioned against allowing the role of officers on campus to extend beyond security and into classroom discipline. Based on an analysis of data from the Texas Juvenile Justice Department (TJJD) completed by this group and Texas Appleseed, at least 28% of arrests and referrals to TJJD in 2015 were for school-based behaviors, such as disorderly conduct. It is also important to note that these arrests and referrals disproportionately affect students of color and students with disabilities. Based on a position paper issued in 2015, the National Association of School Resource Officers (NASRO) agrees with this sentiment and recommends that LEAs utilizing school resource officers enter into memoranda of understanding with those officers' agencies that prohibit officers from being involved in disciplinary situations that are the responsibility of school administrators. Similar policies could be adopted regarding all types of law enforcement officers involved on school campuses.

**Recommendation** – The Legislature should encourage LEAs utilizing peace officers on campus to adopt policies that prohibit those officers from being involved in student discipline.

Programs that allow for anonymous reporting were extensively discussed. There are several different examples currently being used by districts, including many offered at cost by private companies. Both Crime Stoppers of Houston and the Texas Department of Public Safety (DPS) offer no-cost options for LEAs.

Crime Stoppers of Houston recently founded its Safe Schools Institute, which combines an anonymous tip line (accessible by phone, website, and mobile app) with education components for students, parents, staff and law enforcement. The program is funded through philanthropic efforts and is currently provided at no cost to LEAs in the Houston area.

DPS has launched a free mobile application called iWatch (also accessible by phone or website), which allows the public to anonymously report suspicious activities directly to DPS, which then refers the information through its fusion centers to the appropriate law enforcement agency or school administrator. DPS argues that their program is more efficient because the reported information can be connected through other DPS information systems, allowing better surveillance of potential threats.

Humble ISD has implemented a mobile app called iHelp throughout the district. This app is similar to the SafeToTell app that was developed in Colorado in the aftermath of the Columbine shooting and was created by the same developer. The app allows students, families, and staff to anonymously report suspicious or unusual behavior and is constantly monitored by school administrators, counselors or district law enforcement. The reporter can attach documents, such as photos or audio recordings, and can engage in two-way dialogue with the monitor.

**Recommendation** – While it could be cost-effective for the state to leverage funds to support the use of a particular reporting app statewide, districts should be able to make decisions regarding usage at the local level, and the Legislature should ensure that the state is not funding duplicative efforts in this regard.

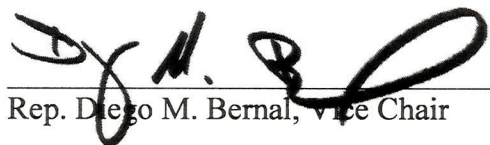
**Conclusion**

School safety and mental health are sensitive issues, and discussion about these topics can be emotionally charged. As Texas moves forward from this tragic event, it is important to keep in mind that although our approaches may differ, we can all agree that students must be kept safe from harm. In order to do this, a balance between prevention, planning, and preparedness must be achieved.

Sincerely,

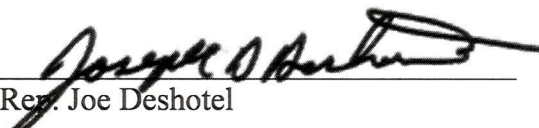
**Members of the Texas House Committee on Public Education**


  
\_\_\_\_\_  
Rep. Dan Huberty, Chair

  
\_\_\_\_\_  
Rep. Diego M. Bernal, vice Chair

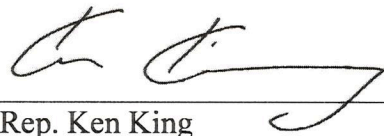
  
\_\_\_\_\_  
Rep. Alma Allen

  
\_\_\_\_\_  
Rep. Dwayne Bohac


  
\_\_\_\_\_  
Rep. Joe Deshotel

  
\_\_\_\_\_  
Rep. Harold V. Dutton, Jr.

  
\_\_\_\_\_  
Rep. Lance Gooden

  
\_\_\_\_\_  
Rep. Ken King

  
\_\_\_\_\_  
Rep. Linda Koop

  
\_\_\_\_\_  
Rep. Morgan Meyer

  
\_\_\_\_\_  
Rep. Gary VanDeaver