

The Texas Education Agency (TEA) proposes new §103.1213, concerning safe schools. The proposed new rule would require school safety and security-related reporting through Sentinel in accordance with Texas Education Code (TEC), §37.1083. Sentinel is a comprehensive system designed to enhance the safety and security of students, faculty, and staff in school buildings across Texas.

BACKGROUND INFORMATION AND JUSTIFICATION: In accordance with TEC, §37.1083, each school district and open-enrollment charter school must submit information requested by TEA in their efforts to monitor the implementation and operation of school district safety and security requirements. The statute allows TEA to review school district records as necessary to ensure compliance.

Proposed new §103.1213 (a) would outline school safety reporting requirements for school districts and open-enrollment charter schools under TEC, §37.1083.

Proposed new subsection (b) would provide the terms and definitions applicable to the proposed new section.

Proposed new subsection (c) would delineate Sentinel as a repository for all safety and security-related data submitted to TEA by school districts, open-enrollment charter schools, campuses, and other entities.

Proposed new subsection (d) would affirm the confidentiality of documents or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements.

Proposed new subsection (e) would require school systems to report through Sentinel information related to Behavioral Threat Assessments, District Vulnerability Assessments (DVAs), emergency management, and Intruder Detection Audits (IDAs).

FISCAL IMPACT: James Finley, deputy chief of school safety and security, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create a new regulation to establish Sentinel as the repository for all safety and security related data submitted to TEA by school districts, open-enrollment charter schools, campuses, and other entities.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Mr. Finley has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to provide

school districts with a comprehensive system designed to enhance the safety and security of students, faculty, and staff in school buildings across Texas. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have a data and reporting impact to implement the requirements of TEC, §37.1083. School districts and open-enrollment charter schools will be required to submit information throughout the year based on the schedule for IDAs and DVAs, or as needed for safety concerns. Initial information would be imported from AskTED. Districts and charter schools would be required to verify that the information is correct, update it as necessary, and provide facility-level information that may differ from what is available. TEA would work with AskTED to streamline future processes. In accordance with TEC, §37.1083, any document or information collected, identified, developed, or produced relating to the monitoring of district safety and security requirements under new §103.1213 would be confidential and not subject to disclosure under Texas Government Code, Chapter 552.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins September 6, 2024, and ends October 7, 2024. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on September 6, 2024. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_\(TAC\)/Proposed_Commissioner_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

STATUTORY AUTHORITY. The new section is proposed under Texas Education Code, §37.1083, which requires school districts and open-enrollment charter schools to submit information requested by the Texas Education Agency in their efforts to monitor the implementation and operation of school district safety and security requirements.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code, §37.1083.

<rule>

§103.1213. Required Reporting through Sentinel.

- (a) In accordance with Texas Education Code (TEC), §37.1083, each school district and open-enrollment charter school shall submit information requested by the Texas Education Agency (TEA) in their efforts to monitor the implementation and operation of school district safety and security requirements. TEA may review school district records as necessary to ensure compliance with this section.
- (b) The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise.
 - (1) Discipline record--a student's cumulative record of formal disciplinary actions reported through the Public Education Information Management System from the date that the student was first enrolled in a public school and that the local education agency has retained in accordance with the records retention policy.
 - (2) School system--a term that has the meaning assigned by §61.1031(a)(6) of this title (relating to School Safety Requirements).
 - (3) Sentinel--TEA's formal school safety system designed to collect, process, store, and distribute school safety and security information.
- (c) Sentinel serves as a repository for all safety and security-related data submitted to TEA by school districts, open-enrollment charter schools, campuses, and other entities.

- (d) Any document or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements under this section is confidential under Texas Government Code, §418.177 and §418.181, and not subject to disclosure under Texas Government Code, Chapter 552.
- (e) Each school system shall report the following information through Sentinel.
- (1) Behavioral Threat Assessments (BTAs).
- (A) When conducting a BTA under TEC, §37.115, members of a threat assessment team shall utilize the threat assessment instrument, manual, and field guide in Sentinel, which are consistent with the model policies published by the Texas School Safety Center (TxSSC).
- (B) A school district shall utilize Sentinel to securely transfer under TEC, §26.036, any disciplinary record or threat assessment conducted on a student to a receiving school system when a student transfers to a new school district. All BTAs for a student are subject to the transfer requirement. Any BTAs conducted prior to August 1, 2025, shall be uploaded into Sentinel in a manner determined by TEA.
- (2) District Vulnerability Assessments (DVAs).
- (A) In accordance with TEC, §37.1083, the TEA Office of School Safety and Security will monitor the implementation of requirements related to school safety and security, to include conducting detailed vulnerability assessments.
- (B) Any documentation requested by TEA for a DVA must be uploaded to Sentinel.
- (3) Emergency management.
- (A) On or before June 30th of each year, all school systems shall input their upcoming school year calendar into Sentinel. Any changes to the school year calendar shall be updated in Sentinel within three business days after approval by district leadership.
- (B) On or before June 30th of each year, school systems must verify that all district facilities listed in Sentinel reflect the correct address and campus emergency contact information.
- (C) If a school system closes for a localized emergency, closure information must be immediately recorded in Sentinel.
- (D) All school systems shall submit information related to events requiring an emergency response, including the discovery of a firearm on a campus, in the Sentinel portal. This is inclusive of notifications regarding a bomb threat or terroristic threat, as outlined in TEC, §37.113. Submission of information in the Sentinel portal does not substitute the requirement for local law enforcement notification of certain activities in TEC, §37.015.
- (E) Upon completed review of a school system's multihazard emergency operations plan, the TxSSC may upload a copy of that plan, including all required appendices, to the Sentinel portal.
- (F) Subsequent to a school system superintendent change, the direct contact information of the superintendent (or person acting in that capacity) must be updated in Sentinel within three business days of a corresponding board meeting.
- (4) Intruder Detection Audits (IDAs).
- (A) In accordance with TEC, §37.1084, the TEA Office of School Safety and Security will establish a school safety review team in each region served by a regional education service center. Teams shall annually conduct on-site general intruder detection audits of school district campuses in the team's region.
- (B) Any documentation requested by TEA for an IDA must be uploaded to Sentinel.