

The Texas Education Agency (TEA) adopts new §103.1217, concerning safety during extracurricular activities. The new section is adopted with changes to the proposed text as published in the April 17, 2026 issue of the *Texas Register* (51 TexReg 2474) and will be republished. The adopted new section establishes safety protocols for extracurricular activities to implement Texas Education Code (TEC), §37.108(f)(8), as amended by House Bill (HB) 121, 89th Texas Legislature, Regular Session, 2025.

REASONED JUSTIFICATION: Adopted new §103.1217 details provisions to ensure the safety of students, staff, and spectators during extracurricular activities, in accordance with TEC, §37.108(f)(8), as amended by HB 121, 89th Texas Legislature, Regular Session, 2025.

Adopted new §103.1217(a) outlines definitions and terminology applicable to this section.

Adopted new §103.1217(b) explains that school systems must adopt and implement multihazard emergency operations plans and must certify that written plans are reviewed, amended, and retained that ensure the safety of students, staff, and spectators during extracurricular activities occurring on property owned, leased, or otherwise under the control of a school system. The subsection also requires that written plans be submitted by a school system to TEA upon request. At adoption, the word "locally" was added to clarify that school systems must retain multihazard emergency operations plans at the local level.

Adopted new §103.1217(c) outlines what must be included in a school system's written plan for extracurricular activities. In response to public comment, subsection (c)(7)(A) was modified at adoption to require uniformed peace officers for events with more than 1,000 attendees. Subsection (c)(7)(A) was further modified at adoption to provide guidance related to the use of armed personnel at events that exceed 250 attendees.

Adopted new §103.1217(d) requires school systems to submit information related to events requiring an emergency response, including the discovery of a firearm on a campus or at a school-sponsored event in accordance with TEC, §37.1083(h)(1), to TEA in a manner determined by the agency.

The fiscal impact anticipated during the first five years the proposal is in effect has been updated at adoption. At proposal, the fiscal impact for local government was based on the requirement for an armed peace officer at an extracurricular event with more than 500 attendees. The number of attendees requiring the presence of a peace officer was increased to 1,000 at adoption. Therefore, the adopted rule may present some cost savings as compared to the proposed rule. However, since hosting an extracurricular activity is voluntary and since decisions about extracurricular activities are made at the local district level, it is difficult to estimate the fiscal impact on any given district. To help offset district costs associated with safety and security initiatives, approximately \$500 million was added to school safety allotment funding during the 89th legislative session.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began April 17, 2026, and ended May 18, 2026. To solicit additional feedback, the agency held a public hearing on May 5, 2026. Following is a summary of public comments received and agency responses.

Comment: Twenty-nine Texas administrators, the Texas Association of School Boards (TASB), the Texas Public Charter Schools Association (TPCSA), the Center for Equity & Adequacy in Public School Finance (CEAPSF), two school system police chiefs, and a school system general counsel commented that school systems across Texas operate with limited budgets and resources to include available law enforcement personnel. The commenters stated that the proposed rulemaking would result in operational challenges. The commenters indicated that additional funding would be needed to meet the requirements in the proposed rulemaking.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: State Representative James Frank commented that he would like state agencies to avoid creating more requirements.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: A Texas administrator and TPCSA commented that subsection (c)(11) addresses the development of written security and medical plans; however, the plans seem to apply to school event locations and not off-site locations. The commenters expressed that the proposed rule language is unclear.

Response: The agency disagrees. Subsection (c)(7)(D) outlines requirements when participating in extracurricular activities at facilities not under the control of a school system, while subsection (c) details overarching requirements for required written security and medical plans.

Comment: Twenty-seven Texas administrators, TPCSA, TASB, and a school system general counsel commented that the proposed language should align with existing statute. Specifically, the commenters noted that the rule's limitation to "uniformed peace officers" creates ambiguity about whether school marshals, guardians, and other security personnel are permissible for extracurricular events. The commenters suggested the agency consider an alternative such as TEC, §37.0814, permitting a board to claim a "good cause exception" and develop an alternative standard for compliance and/or revise the proposed rule to provide districts with greater flexibility.

Response: The agency disagrees that the rulemaking creates ambiguity regarding permissible security personnel at extracurricular activities. In response to public comments about operational flexibility, subsection (c)(7)(A) was modified at adoption to require uniformed peace officers for events with more than 1,000 attendees. Subsection (c)(7)(A) was further modified at adoption to provide guidance related to the use of armed personnel at events with more than 250 attendees.

Comment: TPCSA recommended removing subsection (c)(8) regarding injury protocol planning.

Response: The agency disagrees. The provision is intended to promote effective emergency preparedness and coordinated response planning for extracurricular activities where students may be exposed to increased risk of injury.

Comment: Thirteen Texas administrators and TPCSA requested that the agency reconsider the attendee-count requirements established in subsection (c)(7). The commenters suggested the officer ratio should be adjusted closer to one peace officer per 1,000, or potentially higher, depending on the nature and risk level of the event.

Response: The agency agrees. In response to public comments about operational flexibility, subsection (c)(7)(A) was modified at adoption to require uniformed peace officers for events with more than 1,000 attendees. Subsection (c)(7)(A) was further modified at adoption to provide guidance related to the use of armed personnel at events with more than 250 attendees.

Comment: TASB requested that the agency provide clear guidance on what constitutes a rivalry event, as defined in the proposed rulemaking.

Response: The agency disagrees. Rivalry events are clearly defined in subsection (a)(2). Additionally, the Office of School Safety and Security generally provides additional resources and/or guidance after a rule adoption.

Comment: Six Texas administrators commented that the proposed rulemaking places the burden of security on host school systems, stating there is a potential legal conflict related to jurisdiction and a venue's private security requirements while also expressing concern related to the potential financial impact on hosting districts.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: A community member inquired about campus/event specific plans and/or the requirement for districts to incorporate required plans into the larger district-level emergency operations plan. Further, the commenter requested clarity on the definition of "control of," as referenced in the proposed rulemaking.

Response: The agency provides the following clarification. Required plans should be location specific. A plan is not required for each separate event hosted at a location. Additionally, in statute, the term "control of" generally means the ability to exercise power over something and may include those areas leased and/or wherein a rental agreement exists.

Comment: Six Texas administrators and a school system police chief commented that requirements surrounding attendance do not account for other risk factors for events and requested flexibility in staffing models for events. The commenters requested that the agency consider incorporating a clear risk-based framework that allows districts to evaluate event security needs, recognizing the effectiveness of layered security models in place at many districts.

Response: The agency disagrees. Risk assessments for events are addressed in subsection (c)(10). Additionally, in response to public comments about operational flexibility, subsection (c)(7)(A) was modified at adoption to require uniformed peace officers for events with more than 1,000 attendees. Subsection (c)(7)(A) was further modified at adoption to provide guidance related to the use of armed security at events with more than 250 attendees.

Comment: Two Texas administrators commented that the identification of extracurricular events as "voluntary" is not consistent with the reality of today's educational environment, emphasizing that eliminating extracurricular activities is not a viable option.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: A school system police chief commented that Texas law already addresses safety at extracurricular events. The commenter added that under House Bill 2484, districts are required to ensure the safety of officials by providing a peace officer, school resource officer, administrator, or other security personnel when risks are present or reasonably anticipated.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: A school system general counsel commented in support of the intent of this proposed rule and the agency's continued emphasis on improving safety for students, staff, and spectators at school-sponsored events. The commenter noted that the requirement for written planning, risk assessments, emergency coordination, and clearly defined operational protocols represents an important and necessary step forward.

Response: The agency agrees. The requirement for written planning, risk assessments, emergency coordination, and clearly defined operational protocols are important components for safety during extracurricular activities.

Comment: A school system police chief commented in support of the presence of trained armed law enforcement officers at school events, relaying that, in today's environment, visible security measures and rapid response capabilities are critical components of a comprehensive school safety strategy. The commenter added that expanding officer presence at large gatherings is a logical step in strengthening safety posture.

Response: The agency agrees. Expanding officer presence at large events is a logical step in strengthening safety posture.

Comment: Four Texas administrators commented that the proposal represents an unnecessary expansion of state control and a duplication of existing requirements, citing that requirements are already addressed within each district's multihazard emergency operations plan (EOP) and expressing concern regarding the level of detail embedded in the rule. The commenters indicated that the state "keeps piling" plans on districts and that this proposed rulemaking may have additional data reporting implications.

Response: This comment is beyond the scope of the proposed rulemaking. However, the agency notes that the rule action implements TEC, §37.108(f)(8), as amended by HB 121, 89th Texas Legislature, Regular Session, 2025.

Comment: A Texas administrator commented that the increased level of required documentation and formalized procedures may inadvertently increase district liability while requesting guidance that will support districts.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: A community member commented that safety is not optional, safety planning for students with disabilities must be clearly documented, and staffing ratios should never be a barrier for the safety of students.

Response: The agency agrees. Student safety, including proper planning for students with disabilities, is of critical importance and must be appropriately addressed. In separate rulemaking, the agency adopted an amendment to 19 TAC §103.1209, Mandatory School Drills, effective July 26, 2026.

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §37.108(f)(8), as amended by House Bill (HB) 121, 89th Texas Legislature, Regular Session, 2025, which grants Texas Education Agency (TEA) the authority to determine provisions ensuring the safety of students, staff, and spectators during extracurricular activities sponsored or sanctioned by a school system; and TEC, §37.1083(h)(1), as added by HB 3, 88th Texas Legislature, Regular Session, 2023, which allows TEA to require a school district to submit notices of events requiring a district's emergency response, including the discovery of a firearm on a campus.

CROSS REFERENCE TO STATUTE. The new section implements TEC, §37.108(f)(8), as amended by HB 121, 89th Texas Legislature, Regular Session, 2025, and §37.1083(h)(1), as added by HB 3, 88th Texas Legislature, Regular Session, 2023.

<rule>

§103.1217. Safety During Extracurricular Activities.

- (a) Definitions. The following words and terms, when used in this section, have the following meanings.
 - (1) Extracurricular activity--A term that has the meaning assigned by §76.1001 of this title (relating to Extracurricular Activities). For the purpose of this section, large events including, but not limited to, graduation and prom are considered extracurricular activities.
 - (2) Rivalry event--A school-sponsored athletic contest or extracurricular competition between entities with a recognized competitive relationship, often marked by heightened student, alumni, and community engagement due to shared history, tradition, or geographic proximity.
 - (3) School system--A term that has the meaning assigned by §103.1215 of this chapter (relating to School Safety Requirements).
- (b) Multihazard emergency operations plans. In accordance with Texas Education Code (TEC), §37.108, school systems must adopt and implement multihazard emergency operations plans and must certify that written plans are reviewed, amended, and retained locally to ensure the safety of students, staff, and spectators during extracurricular activities occurring on property owned, leased, or otherwise under the control of a school system. Written plans must be submitted to the Texas Education Agency (TEA) upon request.
- (c) Written plan for extracurricular activities. Each school system must include the following in their written plan when addressing extracurricular activities.
 - (1) Adverse Weather Planning. Protocols for extreme weather conditions such as lightning, heavy rain, or extreme heat shall be developed. Plans must include the location of temporary emergency shelter sites or emergency evacuation measures for event participants and spectators.
 - (2) Communication.
 - (A) School systems must establish clear communication channels between school administration, coaches, emergency services, and law enforcement.
 - (B) School systems should be able to relay emergency communications to participants and spectators including, but not limited to, public address announcements.
 - (C) A telephone or other communication device is required to be on site during extracurricular activities to contact medical services and law enforcement immediately.
 - (D) In accordance with TEC, §37.1131, participating school systems must adopt a policy for parental notification regarding violent incidents occurring or being investigated at an

extracurricular activity. Participating school systems/teams are responsible for notification to the parents of students in their own districts.

- (3) Crowd control measures. School systems must prevent overcrowding to maintain order and mitigate safety hazards and potential conflicts.
- (4) Designated incident commanders. School systems shall ensure there is an on-site designated incident commander to handle emergencies.
- (5) Emergency equipment location and maintenance. School systems shall develop a policy to perform and document on-site readiness checks of equipment and maintenance.
 - (A) In accordance with Texas Health and Safety Code, Chapter 779, an automated external defibrillator (AED) must be available and accessible at all practices and events and inspected monthly.
 - (B) In accordance with TEC, §22.902, athletic coaches or sponsors, physical education instructors, marching band directors, cheerleading coaches, and students who serve as athletic trainers must be certified in cardiopulmonary resuscitation and the use of an AED.
 - (C) In accordance with §76.1003 of this title (relating to Extracurricular Athletic Activity Safety Training Requirements), coaches or sponsors for an extracurricular athletic activity, trainers, marching band directors, and physicians employed by or volunteering for a school system to assist with extracurricular athletic events must complete a TEA-adopted extracurricular athletic activity safety training program.
- (6) Evacuation plans. School systems must designate evacuation routes and assembly points in case of an evacuation. Plans must be able to be communicated to event participants and staff. School systems should consider conducting drills to familiarize individuals with evacuation procedures.
- (7) Event security.
 - (A) Host school systems must provide at least one uniformed peace officer per 1,000 attendees for events exceeding 1,000 attendees. School systems should consider providing armed security (e.g., peace officers; school marshals; school system employees who have completed school safety training provided by a qualified handgun instructor certified in school safety under Texas Government Code, §411.1901; security personnel commissioned under Texas Occupations Code, Chapter 1702) for any event that exceeds 250 attendees. If a school system hosts an event, whether or not they are participating in the event, the hosting school system is responsible for security.
 - (B) For rivalry events or events where there is a propensity for violence or confrontation based on available intelligence from hosting and visiting districts or publicly available information, school systems must provide an appropriate number of uniformed peace officers.
 - (C) Considerations for the number of armed officers needed for an event should include:
 - (i) the number of spectators and participants projected to attend an event;
 - (ii) the size of the event venue; and
 - (iii) an increased risk of confrontation or violence at the event.
 - (D) When participating in extracurricular activities at facilities not under the control of a school system, school system staff should:
 - (i) familiarize themselves with security and medical plans implemented by the facility, which may include:
 - (I) in-person safety briefings provided by the host facility; and

- (II) distributed safety plans including evacuation routes, locations of emergency equipment, and emergency contact numbers; and
 - (ii) obtain contact information for the host facility to ensure communication in the event of an emergency.
- (8) Injury protocol planning. School systems shall coordinate with local first responders to create structured plans to manage injuries, inclusive of immediate first aid.
- (9) Patrons.
 - (A) In accordance with TEC, §37.105, school administrators, school resource officers, or school district peace officers may refuse to allow a person to enter property under the school system's control or they may eject a person if the person refuses to leave peaceably.
 - (B) A referee, judge, or other official may eject an individual, including spectators, staff, volunteers, or participants, without the need to first issue a verbal warning, and even if the behavior that subjects the individual(s) to ejection is not persistent, inappropriate behavior. A single incident of inappropriate, threatening, or dangerous behavior is sufficient cause for ejection, subject to the discretion of the appropriate official.
- (10) Risk assessment. Before any event, a thorough risk assessment of potential risks, such as venue, weather conditions must be conducted. For extracurricular activities hosted by another school system or an outside organization, school systems should be familiar with security and medical plans for that entity, as described in paragraph (7)(D) of this subsection.
- (11) Written plan for event locations. To ensure a safe and secure environment for events, school systems must develop and implement written security and medical plans for each specific event location exceeding 250 attendees. School systems must ensure coaches, band directors, event and school administrators, and cheer coaches are familiar with the written plan.
- (d) Emergency response incidents. In accordance with §103.1213 of this chapter (relating to Required Reporting through Sentinel), all school systems shall submit information related to an incident requiring an emergency response, including the discovery of a firearm or other weapon at a school-sponsored activity, in accordance with TEC, §37.1083(h)(1), to TEA in Sentinel. Submission of information to TEA does not substitute for the requirement for law enforcement notification of certain activities outlined in TEC, §37.015.