

The Texas Education Agency (TEA) proposes new §103.1217, concerning safety during extracurricular activities. The proposed new section would establish 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.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Proposed new §103.1217 would detail 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.

Proposed new §103.1217(a) would outline definitions and terminology applicable to this section.

Proposed new §103.1217(b) would explain 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 would also require that written plans be submitted by a school system to TEA upon request.

Proposed new §103.1217(c) would outline what must be included in a school system's written plan for extracurricular activities.

Proposed new §103.1217(d) would require 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.

**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 fiscal implications to the state. There may be additional costs to school districts to meet the requirement for armed peace officers at extracurricular activities with more than 500 attendees. 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.

**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:** Although the proposal imposes a cost on regulated persons, another state agency, a special district, or local government, Texas Government Code, §2001.0045, does not apply because the rule is necessary to protect the health, safety, and welfare of the residents of this state, per Texas Government Code, §2001.0045(c)(9).

**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:** The proposed rulemaking would create a new regulation to ensure the safety of students, staff, and spectators during extracurricular activities sponsored or sanctioned by a school system.

It 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 systems with requirements and considerations that better ensure the safety of students, staff, and spectators during extracurricular activities. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** The proposal would have no data and reporting impact.

**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:** TEA requests public comments on the proposal, including, per Texas Government Code, §2001.024(a)(8), information related to the cost, benefit, or effect of the proposed rule and any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. The public comment period on the proposal begins April 17, 2026, and ends May 18, 2026. 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 April 10, 2026. 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 TEC, §37.108(f)(8), as amended by HB 121, 89th Texas Legislature, Regular Session, 2025, which grants TEA 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 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 750 attendees for events exceeding 500 attendees. School systems should consider providing armed security 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.