



To the Administrator Addressed

Commissioner Mike Morath

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| DATE: | September 17, 2020 |
| SUBJECT: | Senate Bill 11 Data Requirement and Safe and Supportive Schools Program (SSSP) |
| CATEGORY: | Information |
| NEXT STEPS: | Share with appropriate school safety staff |

Summary:

- [In November of 2020, TEA will be collecting a limited amount of data related to campus level Safe and Supportive Schools \(SSSP\) teams as required by Senate Bill 11](#)
- [TEA and the Texas School Safety Center \(TxSSC\) developed school drill guidance under social distancing restrictions, and TEA adopts new mandatory drill rule 19 TAC § 103.1209](#)
- [The American College of Surgeons \(ACS\) has issued guidance for conducting bleeding control training under COVID-19 conditions](#)
- [The 86th Legislature mandated restrictions on school police officer duties](#)
- [TEA provides operation and instructional time waivers for school safety training](#)
- [TEA Announces new Mental Health Resources and Updates](#)

SSSP Data Collection

The Texas Education Agency (TEA) understands the hardships all local education agencies (LEAs) endured during the 2019-2020 school year and the challenges school systems continue to face during this current school year. Therefore, the agency is phasing in the Senate Bill (SB) 11 mandatory data reporting requirement for your Safe and Supportive School Program teams.

In November 2020, TEA will issue a survey via Qualtrics to all school districts and open-enrollment charters to collect a minimal amount of data regarding LEA behavioral threat assessments conducted by SSSP teams and training received. The November 2020 survey is the first step of the phase-in process and comprises two parts. The first part of the survey is the mandatory reporting requirement for the time period of September 1, 2019, through August 31, 2020. The second part is a set of optional questions to help TEA understand what gaps and needs LEAs may still have in terms of the implementation of their SSSP programs. The information will be used by TEA and the Texas School Safety Center to help improve and support SSSP teams and programs throughout Texas. The information collected by this survey is subject to open records requests to the extent they are not protected by FERPA or subject to other student educational data access restrictions. All data collected will be used by TEA for the primary purpose of continuous improvement of the SSSP and its implementation across Texas.

To support the data collection efforts, the mandatory questions are listed below so that LEAs can begin preparing for the November 2020 Qualtrics survey:

1. Has your LEA established Safe and Supportive School Program team(s)? Yes/No

2. If Yes, answer the following:
 - a. Number of campuses in your LEA served by your SSSP team(s)? (enter number)
 - b. How many people from your LEA's SSSP team(s), have been trained in the Behavioral Threat Assessment prior to September 1, 2020 (enter number)?
 - c. Estimate the extent to which your team(s) are trained in behavioral threat assessment at the time of this survey (select one):
 - i. All team members
 - ii. More than half of the team members
 - iii. Less than half of the team members
 - iv. No team members are trained

3. Provide the following data regarding threats in your LEA for the period of September 1, 2019, through August 31, 2020:
 - a. Number of threats reported (enter number)
 - b. Number of threats assessed as not posing a risk and not referred for interventions or help/supports (enter number)
 - c. Number of threats assessed as not posing a risk but referred for interventions or help/ supports (enter number)
 - d. Number of threats assessed as posing a risk and referred for interventions or monitoring (enter number)
 - e. Number of threats assessed as posing an emergency/eminent risk and referred to law enforcement, the superintendent and referred for interventions and monitoring (enter number)

There will also be some optional questions in the survey to assist the TEA in assessing the current status of the SSSP implementation in the districts. The SSSP survey will be sent to superintendents on or about November 1, 2020, and must be completed by November 30, 2020.

TEA and TxSSC School Drill Guidance

TEA has been working in conjunction with the Texas School Safety Center and the Texas State Fire Marshal's office to develop guidance for conducting school drills in the time of social distancing. The guidance calls for school districts to continue to conduct evacuation and fire drills but to do so in a manner that complies with local health officials' recommendations or orders related to social distancing during the COVID-19 pandemic.

The school drill guidance can be found on the Texas School Safety Center's [school drill guidance website](#) along with other helpful resources related to conducting school drills. In addition to the foregoing guidance and resources, TEA has adopted a new rule in order to clarify and implement certain requirements from SB 11, 86th Legislative Session, 2019, which mandated the adoption of procedures for evacuating school property and designation of the number and type of school drills. The new rule is posted in the Texas Register as [19 TAC §103.1209](#). This rule sets the minimum number of drills schools must conduct each semester or year in addition to local fire marshal requirements or [Texas Department of Insurance regulations](#), as applicable.

Guidance for conducting bleeding control training under COVID-19 conditions

During the 86th Texas Legislative Session, 2019, Governor Greg Abbott signed House Bill 496 (codified in [Texas Education Code \(TEC\), §38.030](#)), which requires all Texas school districts and open-enrollment charter schools (LEAs) to have bleeding control stations available on their campuses. LEAs must also train all school district police officers, school resource officers, security personnel and any other school or district personnel who may be reasonably expected to use a bleeding control station. For school police officers, school resource officers, school security personnel (collectively, SROs), and other school personnel who need to conduct bleeding control training or who need to attend such training during the COVID-19 pandemic, it is recommended they follow all CDC guidelines as well as applicable requirements and guidance provided by their state and local authorities concerning public gatherings, social distancing, and the use of masks.

Although there is no way to guarantee the safety of those instructing or attending in-person training, both the American College of Surgeons (ACS) and the Department of Homeland Security have issued helpful [guidelines](#) for conducting the training as safely as possible. For example, the ACS specifically recommends that “courses should ideally be held in venues large enough to allow for appropriate physical distancing. Sites may use video conferencing to complete the lecture portion of the course (e.g., Zoom, Google Meet, Webex, GoToMeeting).”

As in-person instruction is not mandatory under HB 496 for students in grades 7-12 receiving instruction in the use of bleeding control stations, TEA and the Texas School Safety Center recommend that those students required by HB 496 to complete bleeding control station training do so through video conferencing, until such time that social distancing and other COVID-19-related health orders are rescinded or allowed to expire.

Duties of school district police officers, school resource officers, or security personnel

The 86th Legislature made significant modifications to school safety officer training and policy requirements for local education agencies. The primary vehicles for these changes are found in SB 11 and SB 1707 that are now codified in TEC, §§37.081 and 37.0812. [TEC, §37.0812](#), requires all school districts that commission a school district peace officer or at which a school resource officer provides law enforcement to adopt a policy requiring the officer to complete the School Based Law Enforcement (SBLE) education and training program required by [§1701.263 of the Texas Occupations Code](#).

Many of the skills developed from this training will be essential in setting the tone for law enforcement interaction with students who may be traumatized by the effects of COVID-19. The training includes lessons for SROs such as child and adolescent development and psychology; positive behavioral interventions and supports, conflict resolution techniques, and restorative justice techniques; de-escalation techniques and techniques for limiting the use of force; the mental and behavioral health needs of children with disabilities or special needs; and mental health crisis intervention.

By law, the TXSSC provides the SBLE training. For more information on the SBLE training, please refer to the [TxSSC SBLE](#) website.

In addition, [TEC §37.081](#), as amended now requires school boards to ensure that SROs do not engage in routine student discipline or school administrative tasks or contact with students unrelated to the law enforcement duties of the peace officer, resource officer, or security

personnel. The law further states that the board of trustees of the school district shall ensure that SROs are tasked only with duties related to law enforcement intervention and not tasked with behavioral or administrative duties better addressed by other district employees. Examples of administrative duties might include being called to the classroom for unruly or profane students; removing an uncooperative student from the cafeteria; enforcing the dress code; or enforcing PPE and social distancing protocols. If the aforementioned requirements are adhered to with fidelity, this should help reduce the number of negative interactions students would otherwise experience with law enforcement personnel as schools are now reopening. Districts are encouraged to find innovative ways by which officers can positively interact with students such as gift card awards to student for good behavior or mentoring programs.

TEA operation and instructional time waivers for school safety training

According to TEC, §25.0815, the commissioner must provide a waiver allowing for fewer minutes of operation and instructional time than required under TEC, §25.081(a), for a school district that requires each educator employed by the district to attend an approved school safety training course. A waiver under this section:

- must allow sufficient time for the school district's educators to attend the school safety training course; and
- may not:
 - result in an inadequate number of minutes of instructional time for students; or
 - reduce the number of minutes of operation and instructional time by more than 420 minutes.

School districts must follow the below process for obtaining these waivers:

1. A district may request this waiver using the “Other” waiver application in the TEAL [Waiver Online Report](#) System; and
2. Any waiver minutes reported must reflect the actual number of school safety training minutes provided.

In order to qualify for the waiver, the training provided must be from a TxSSC-approved school safety training course. The list of approved training is available at the following link: [TxSSC 2020-2021 List of Approved Trainings for Operational and Instructional Time Waivers for School Safety Training](#).

Mental Health Resources Updates

TEA, the Health and Human Services Commission, and ESCs have completed the annual review of mental and behavioral health best-practice based programs and research-based practices required by TEC, §38.351, for posting on the TEA Website. TEA reorganized the website to include: links to hotlines and statewide mental health services; subpages with resources listed under TEC, §38.351, school mental health components; and alphabetized interventions, frameworks, trainings, registries and supplemental resources to support local education agencies with planning school-based and school-connected mental health services, supports, and staff training by component. The TEA website landing page for these resources is: <https://tea.texas.gov/about-tea/other-services/mental-health/mental-health-and-behavioral-health>. These resources support the Safe and Supportive School Program.