



LEGISLATIVE BUDGET BOARD

Summary and Review of School Safety Proposals

PRESENTED TO HOUSE APPROPRIATIONS COMMITTEE

LEGISLATIVE BUDGET BOARD STAFF

OCTOBER 2018

House Appropriations Committee

Interim Charge

Examine the availability of federal funding and Governor's Criminal Justice grants that may directly or indirectly improve school safety. Evaluate the potential costs of proposals identified by the Governor and House Committees related to improving access to mental health services for children, improved school safety, and enhanced firearm safety.

Summary of Governor Abbott's School and Firearm Safety Action Plan

In May 2018, Governor Abbott published his School and Firearm Safety Action Plan incorporating feedback received from school and law enforcement officials, mass shooting survivors, and people impacted by gun violence. Recommendations are shown below.

I. Better Protecting Students and Teachers

- A. Provide Immediate Funding to Santa Fe with Governor's Criminal Justice Division (CJD) Grants and a U.S. Department of Education Grant
- B. Making Schools Safer – 18 recommendations on increasing law enforcement presence at schools, improving and increasing the school marshal program, providing active shooter and emergency response training, hardening campus facilities, prioritizing increased federal funding for immediate school safety improvements, and strengthening existing campus security programs
- C. Preventing Threats in Advance – 13 recommendations on providing student mental health evaluations and services, increasing mental health first aid training and crisis response infrastructure, behavioral threat assessment and campus crime stopper programs, on-campus counseling resources, using preventive digital technology, social media monitoring by fusion centers, charter school safety, and the removal from the classroom of students who threaten teachers

II. Enhancing Firearms Safety

- A. Close Critical Information Gaps to Prevent Mass Shootings
- B. Study a Protective Order Law That Ensures Due Process
- C. Mandate a 48-Hour Reporting Period to Close Gaps in Federally Mandated Background Checks
- D. Strengthen the Safe Firearm Storage Law
- E. Promote Awareness of Safe Storage Practices
- F. Mandatory Reporting of Lost or Stolen Guns

School Safety Proposals Implemented with Existing Resources

On August 30, 2018, Governor Abbott released a second report, School Safety Action Plan Summary, describing actions taken by school districts, local and state law enforcement entities, and state agencies during the summer to respond to school safety concerns.

According to the report, **with existing resources**, some school districts have:

- created comprehensive threat assessment programs;
- launched mental health intervention teams;
- provided educational materials to parents;
- increased reliance on school counselors;
- initiated or strengthened existing partnerships partnered with mental health authorities and law enforcement entities;
- incorporated communications technologies to prevent and respond to threats; and
- hardened their facilities with clear bag policies, metal detectors, surveillance cameras, door locks, controlled access systems, and alarms.

Application for Federal Funds to Respond to School Violence

According to the Governor's August 2018 School Safety Action Plan Summary, during the summer of 2018, the Texas Education Agency (TEA) **applied for Federal Funds** including:

- Students, Teachers, and Officers Preventing (STOP) School Violence – up to \$1.5 million (\$1.0 million to provide schools with administrator and staff mental health training, and \$462,451 to support the statewide development, training, implementation and operation of school threat assessment teams);
- Community Oriented Policing Service (COPS) School Violence Prevention Program - \$500,000 to develop comprehensive school safety assessments and plans; and
- Substance Abuse and Mental Health Services Administration Project on Advancing Wellness and Resilience Education (AWARE) – TEA requested \$1.8 million annually for five years to provide evidence-based mental health services for high-need schools in Harvey-impacted regions. Services provided with this grant would focus on small and rural schools with documented needs but limited access to mental health resources.

Additionally, the Governor's Office reports that it expects that Santa Fe ISD will receive an estimated \$1.0 million in Project School Emergency Response to Violence (SERV) Federal Funds. The program provides funds to assist districts in recovering from violent or traumatic events.

Governor's Office Criminal Justice Division Grants

Appropriations for the Governor's Office Criminal Justice Division (CJD) are included in Trusteed Programs Within the Office of the Governor, Strategy B.1.1, Criminal Justice Activities. Included among the methods of finance in Strategy B.1.1. are Victims of Crime Act Federal Funds and GR-Dedicated Account No. 421, Criminal Justice Planning Account. GR-D Account No. 421 is funded with revenue received from court fees paid by defendants in certain criminal cases, and the funds are used to fill gaps throughout the criminal justice system in accordance with the broad goals specified in the Government Code §772.006, Governor's Criminal Justice Division.

2018-19 GR-D No. 421 for the CJD funding was \$96.9 million, which includes an unexpended balance transfer of \$42.5 million from the 2016-17 biennium; in its 2020-21 appropriations request, the CJD has requested \$50.0 million of GR-D Account No. 421 funding.

According to the Governor's Office School Safety Action Plan, as of August 30, 2018, the **CJD has provided an estimated \$5.7 million in grants**, consisting of both Federal Funds and GR-D No. 421, for purposes related to school safety following the Santa Fe shooting. These grants have been awarded to school districts, cities, counties, local mental health authorities, state agencies, and law enforcement entities. Some of these funds provided immediate assistance to the Santa Fe community following the shooting.

Summary of House Public Education Committee Recommendations

In September 2018, the House Public Education Committee issued **25 preliminary recommendations** relating to school safety:

Mental Health: (1) Incorporating character education in curricula; (2) encouraging cultural changes to improve campus environments; (3) modifying curricula to reduce the stigma of seeking mental health treatment; (4) requiring all school personnel to participate in mental health first aid (MHFA) training and providing funding to do so; (5) ensure rural districts have sufficient funding to participate in TWITR or a similar telemedicine psychiatric screening; (6) providing additional funding to encourage schools to form innovative partnerships with mental health authorities, universities, and other service providers; and (7) consider creating a statewide resource on student mental health to provide training and technical assistance to schools.

School Mental Health Professionals: (1) provide funding to increase the number of school mental health professionals and clarify the expectations for such professionals in statute; and (2) Education Service Centers should establish mental health crisis intervention teams in collaboration with the Health and Human Services Commission and local mental health authorities, with funding provided by the Legislature.

School Safety Planning and Training: (1) provide the Texas School Safety Center (TSSC) with funding for increased technical support for schools and to exercise audit and oversight responsibilities; (2) ensure detailed school safety information in any certification system remains confidential; (3) require certain parties be included on School Safety and Security Committees; (4) apply statutory school safety provisions to charter schools; (5) authorize TEA to collect information on school safety trainings provided for school personnel; (6) consider additional funding to the Governor's CJD for ongoing school safety trainings; and (7) require training improving parental notification of school shootings.

Summary of House Public Education Committee Recommendations

School Safety Infrastructure: (1) provide TSSC with resources to study communications interoperability between schools, law enforcement, and first responders; (2) schools should consider current research and best practices when considering school safety investments; (3) TEA should conduct a study of the statewide need for campus safety retrofits, and provide funding to LEAs for campus safety retrofits, prioritized by financial need and other considerations; and (4) allow for flexibility in use of state funds for school safety related capital items.

Law Enforcement Resources: (1) clarify the security personnel options available to charter schools; (2) consider the benefits of law enforcement professionals specifically trained to work with students; (3) consider giving small districts the option to create joint police departments with other districts; (4) encourage schools to prohibit peace officers from engaging in student discipline; and (5) allow districts to make determinations regarding the use of statewide reporting apps and ensure that state funding is not duplicative.

Public Education Committee Recommendations Needing Additional Funding for Full Implementation

Public Education Committee Report recommendations expressly calling for additional financial resources include:

- Providing funding for a proposed requirement that all school personnel receive mental health first aid (MHFA) training. Statute specifies that to the extent funds are appropriated for the purpose, free MHFA training shall be provided to school district and university employees. The Health and Human Services Commission (HHSC) has collaborated with Education Service Centers (ESCs), TEA, and mental health authorities to publicize and provide MHFA trainings throughout the state. HHSC reports that since the 2014 inception of the program, an estimated 27,000 public school employees have received MHFA training. The program receives an estimated \$2.5 million annually.
- Ensuring that rural schools with limited mental health service access have funding to participate in Texas Tech University Health Science Center's (TTUHSC) Telemedicine Wellness Intervention Triage and Referral (TWITR) Project or a similar program. TTUHSC reports that training school districts statewide to use a TWITR-like model would cost an estimated \$1.1 million biennially; and that providing TWITR services to about one-third of school districts statewide would cost an estimated \$29.9 million biennially.
- Providing financial resources to encourage innovative partnerships between schools and mental health service providers. This funding could be structured as a competitive grant program created by statute.
- Provide funding to schools for satisfying a proposed requirement to increase the presence of mental health professionals at school. Funding for this item could flow through an increased basic allotment in the Foundation School Program (FSP) formula.

Public Education Committee Recommendations Needing Additional Funding for Full Implementation

- ESCs should receive funding for collaborative mental health crisis intervention teams to be used by schools as needed. Such funding would likely be provided to ESCs through an additional appropriation to TEA.
- Provide funding to the Texas School Safety Center (TSSC) to exercise oversight and audit functions and to offer technical assistance relating to school emergency operations plans. Additional appropriations would likely be necessary for a team of FTEs to implement these functions. See the TSSC exceptional item request at the end of this presentation for additional related information.
- Consider additional funding to the Governor's CJD to support grants for increased training opportunities for school personnel.
- Providing funding for retrofitting existing school buildings with additional safety features. The Public Education Committee report estimates that school safety retrofitting ranges from \$500,000 to \$1.0 million per campus, although the level of need across the state for such modifications is not known.

Governor's Safety Action Plan Proposals Needing Additional Funding for Full Implementation

Proposals in the Governor's Safety Plan not discussed in the House Committee recommendations above and likely to require additional funding include:

- Requiring that TEA provide a substantive and ongoing audits of all school safety plans. This would likely require, at a minimum, several new FTEs for the agency; staffing level requirements would depend on the rigor and frequency of school district audits.
- Significant expansion of the Crime Stoppers Program. This program provides monetary incentives for certain information about crimes and school violations, and may require additional funding depending on the scope of expansion.
- Creation of additional fusion centers to share information between federal, state, and local law enforcement. Establishing a new fusion center would cost an estimated \$7.7 million in first year costs (with \$4.8 million estimated for initial building costs) and \$4.1 million in subsequent years.
- Creation of a statewide court case management system (CMS) providing immediate access to critical information and to expedite reporting of court reporting for federal background checks. The Office of Court Administration has an exceptional item request for this project detailed at the end of this presentation.
- Mandate a 48 hour reporting requirement for court records relating to mental health adjudications, emergency or family protective orders, or felony convictions. Increases in Criminal Justice Information System (CJIS) reporting requirements would generate additional local costs, which, according to the Governor's Office School and Firearm Safety Action Plan, may be offset by CJD grants.

General Considerations on Funding for School Safety Proposals

The Legislature may wish to consider whether proposal costs will recur; certain recommendations, such as retrofitting existing campuses with safety improvements, may require a significant, but one-time, appropriation.

Some recommendations may be initiated or executed to a limited degree with existing resources, but would require additional funding to fully implement. Proposals may also require additional funding depending on the manner or scope of implementation. For instance, the recommendation to establish a centralized resource to provide technical assistance on student mental health best practices may require additional funding to the extent current funding doesn't support necessary functions. Although TEA and TSSC currently provide some limited resource and technical assistance functions, both have exceptional item requests, detailed at the end of this presentation, which would expand these activities.

Some projects are scalable in response to available appropriations. Examples of scalable recommendations include providing financial incentives for innovative mental health partnerships or increasing funding to the CJD to support additional trainings.

2020-21 Agency Exceptional Item Requests Relating to School Safety and Student Mental Health

Items shown include only requests relating directly to student or school safety proposals and are not a comprehensive list of exceptional items relating to mental health or public safety.

Agency Exceptional Item Request	2020–21 General Revenue Funds (In Millions)	2020–21 Full-time-equivalent Positions
<p>Texas Education Agency Safe and Healthy Schools Initiative</p> <p>TEA proposes a new program built upon four pillars: (1) mental health supports; (2) positive school culture; (3) facility safety; and (4) emergency response coordination. TEA proposes implementing the above by collaborating with the Texas School Safety Center to establish a school safety self-assessment rubric, providing state and regional level technical assistance to schools on mental health and school culture supports, and providing grant funds to assist schools with deficiencies.</p>	\$54.5	6.0
<p>Texas School for the Blind and Visually Impaired (TSBVI) Campus Safety Infrastructure</p> <p>As part of its third exceptional item request, TSBVI requests funding for security cameras, security utility vehicles, communications equipment, fencing, gate, and lighting upgrades, and rekeying of the campus.</p>	\$0.7	0.0
<p>Texas School for the Deaf (TSD) Campus Safety Staff and Infrastructure</p> <p>As part of its first priority exceptional item, TSD requests \$0.7 million to hire two school resource officers, two security officers, a mental health counselor, and a director of campus safety and risk management. As part of its second exceptional item, TSD requests \$0.3 million for door locks, electronic key-card access, cameras, and communications equipment.</p>	\$1.1	5.9

2020-21 Agency Exceptional Item Requests Relating to School Safety and Student Mental Health

Agency Exceptional Item Request (continued)	2020–21 General Revenue Funds (In Millions)	2020–21 Full-time-equivalent Positions
Texas State University School Safety Center	\$7.2	34.6
As its first exceptional item, the University requests funding to restore School Safety Center budget reductions made in the 82 nd and 85 th Legislative Sessions, and reports that this funding level would allow the School Safety Center to increase trainings and resource development to a level that would serve all Texas school districts and community colleges.		
Texas State University Advanced Law Enforcement Rapid Response Training (ALERRT)	\$4.0	10.4
As its third exceptional item, Texas State requests funding to allow it to significantly increase active shooter first responder training courses offered to Texas law enforcement.		
Office of Court Administration (OCA) School Safety Initiative – Statewide Case Management System (CMS)	\$29.7	2.0
As its third exceptional item, OCA request funds to automate and expedite court record reporting for federal background checks. Funding would create a CMS system based on the recommendations of the Governor's School and Firearm Safety Action Plan. The CMS would primarily be used by counties with a population of 20,000 or less since many are unable to collect data directly from an automated system.		
Department of Public Safety (DPS) – Improve School Security	\$3.6	22.5
As its seventh exceptional item request, DPS would increase investigation and integration of information reported through the tip monitoring app iWatch Texas. Funding would provide real-time intelligence support to law enforcement, and, when appropriate, school officials, child protective services, and mental health services.		
2020–21 Biennial Total	\$100.8	81.4



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