



Public Comments on Proposed Rules 19 TAC Chapter 103 Concerning Active Threat Exercises April 21, 2022

The Association of Texas Professional Educators (ATPE) respectfully submits the following comments on proposed rules in 19 TAC Chapter 103 §103.1211, concerning active threat exercises.

ATPE believes educational settings must be safe and secure environments where students, employees, and volunteers can be productive. This requires carefully considering how drills and exercises are conducted and how any negative impacts of those drills, such as mental stress or lost instructional time, are mitigated so students and staff can continue working and learning.

ATPE previously offered input on §103.1209, related to mandatory school drills. We appreciate that the Texas Education Agency has incorporated several of our recommendations into the proposal for §103.1211, including defining “adequate notice” for parents and participants, providing mental health supports after each exercise, and ensuring developmental appropriateness of the exercise. To minimize the potential negative impacts on maintaining a safe and secure school environment, ATPE recommends these additional improvements to proposed §103.1211:

1. Require districts to meet the language needs of their student and parent populations by adding into subsection (b)(1): “Provide adequate and linguistically accessible notice...”
2. Require the announcement under subsection (b)(2) to meet student language needs so no student is caught off-guard: “make an audible announcement in the necessary languages...”
3. Explicitly require input from general, bilingual/ESL, and special education teachers under subsection (b)(3)(A): “input from multiple stakeholder perspectives, including general education, bilingual/ESL, and special education teachers, in the design of the exercise;”
4. The proposed notice requirements are appropriate but could be exploited by bad actors. For this reason, require districts to consider and plan for the possibility of an actual emergency, including an active shooter threat, happening during a drill under subsection (b)(3)(B)(ii). Under section (b)(3)(B)(ii), ATPE recommends: “the development and communication of a predetermined method for participants to withdraw from the exercise before or during the exercise, including in the event of an emergency or situation involving an actual active shooter; and”
5. Align (b)(3)(iii) with (b)(3) by ensuring: “student access to mental health supports before, during, and after the exercise;”
6. Under subsection (b)(3)(C), include specific considerations for the needs of students with sensitivities to light or sound: “...Developmental appropriateness considerations include the needs of special populations, including students with disabilities, students with sensitivities to light or sound, and emergent bilingual students.”

ATPE believes the safety and security felt by students and staff are foundational to creating an environment in which children can learn. We appreciate the agency’s consideration of our feedback. For additional information, contact ATPE Governmental Relations at government@atpe.org or (512) 467-0071.