

Joint Committee Meeting

Senate Education Committee

and

Senate Agriculture, Rural Affairs, and Homeland Security Committee

January 28, 2013

Chairmen Estes, Chairman Patrick, and Members of the Committees:

My name is Gene Sheets. I am superintendent of Muleshoe ISD and currently the President of the Texas Association of Rural Schools. Small, rural public schools in Texas represent about half of the school districts in Texas. These schools are the life-blood of these communities.

I appreciate the opportunity to visit with you about school safety from a rural school perspective. The tragedy in Sandy Hook has heightened the awareness of school safety in every community across the country. In Texas, we must continue to provide safe schools for our children to attend.

I appreciate your willingness to partner with us in coming up with reasonable solutions to a very difficult problem. School boards and administrators across the state are meeting to discuss various measures they could possibly take to enhance the protection of our most precious assets—our children and our staff.

The number one concern we have is making sure we are doing everything we can to keep our children and our staff safe. I have heard from several superintendents across the state in the last month or so. Schools are considering different ways to address this issue. Every school situation is unique, and there are about as many different approaches to school safety as there are schools in Texas.

There is not a “one-size-fits-all” policy that will work for the many different school districts in Texas. Every school district should be allowed to implement policies in conjunction with their communities that fit their individual situations.

I have listed below some of the measures rural schools are taking and are considering, as well as some of the concerns we have as we consider ways to address this very important issue:

Emergency Operating Procedures

All schools are reviewing and updating their Emergency Operating Procedures to make sure we have the proper procedures and protocols to deal with emergencies.

Local law enforcement agencies have always been an important part of developing safety procedures and guidelines for dealing with emergencies. Many schools are inviting local law enforcement personnel to participate with the schools in observing and evaluating the schools' Emergency Operating Procedures so that they can be familiar with the facilities and procedures in case of emergencies.

However, in many rural areas, there are no local law enforcement officers that could respond in a timely manner to an emergency situation.

Relationships

Small rural schools have an advantage over larger schools in that we know all of our students. We can tell if something is not quite right, and we can identify students who are struggling with behavior issues and various other types of problems. Rural schools can provide some measure of support and guidance to students who are struggling with various types of problems.

However, we need some flexibility in dealing with discipline issues at our schools. All students don't need the same discipline techniques. Chapter 37 of the Texas Education Code sometimes seems to tie our hands. Allow local school boards some flexibility in handling discipline issues so we can truly do what is best for each child and possibly reach a child before it is too late

Counseling Resources

In small rural schools, many of our school counselors have essentially become testing coordinators due to the decrease in funding over the last several years. Unfortunately, public education funds are being cut at a time when counseling services for students need to be expanded. There isn't enough money in typical rural school budgets to add professional counseling services on a regular basis.

Unfunded Mandates

We want to work with you in addressing school safety concerns. We only hope that local school districts will not have to bear the burden of an unfunded mandate for a security plan to protect our children. We must be allowed to develop our own security systems and plans that are right for our schools and our communities.

With the drastic cuts to public education the last several years, small rural schools have been hit particularly hard. Small rural school districts do not have the financing capacity that larger school districts may have in order to provide some of the solutions for these serious problems.

Small rural schools are facing additional costs with little prospect of a real increase in funding. Small schools do not have the funding capacity to hire campus police or school resource officers, make facility security improvements, or provide specialized training for staff.

School facility funding is not equitable, and it is capped below what is needed for small schools. Small rural schools have combined staffing positions, cut programs, and many have maxed out their taxing capacity. Farmers and ranchers are facing severe drought conditions that will not enable them to provide additional funding for this critical issue.

Muleshoe ISD raises \$25,000 per penny of tax. So to provide one school resource officer with weapon, uniform, benefits, etc. for each of our four campuses would cost over \$300,000. An increase in taxes of 12 cents or more would be very difficult in agricultural areas of Texas; and that doesn't even address facility improvements that could address safety issues.

We think (1) using a completely equalized tax structure, or (2) using a portion of the projected excess revenue, or (3) using even part of the renewable "rainy day" fund could provide the support we need to establish security plans to protect our children from a tragedy like the one at Sandy Hook Elementary.

Renovations for Facility Security

Rural schools in Texas were typically built in the 1940's and 1950's. Rural schools will need help from the State to provide modern security features and security infrastructure for our facilities. Security cameras, secure doors and locking mechanisms, electronic access systems, bus security measures, and additional screening and security measures (if schools decide to implement one or more of these measures) will require resources not available to many rural Texas communities.

Security Guards, School Resource Officers, Police Officers, Deputies, etc.

Hiring School Resource Officers (specially trained police officers) that work in schools is supported by both the President of the United States and the National Rifle Association. Several rural schools are considering hiring School Resource Officers, but there are no funds to do so.

With campuses spread out as much as several miles apart, it would be difficult for one School Resource Officer to address an emergency situation at another campus. There may need to be multiple School Resource Officers if this option is utilized.

Educators as Peace Officers

School boards across the state are considering every option to keep the children and staff of their schools as safe as possible in this changing society. The shootings in Connecticut have brought home the reality that some "15-minute-of-fame-crazy-person" could come onto any of our campuses. There is not a fool-proof safety plan to take care of any and all possibilities that could occur.

One of the very real issues for rural schools is that when rural schools face an emergency, the response time for local law enforcement or emergency medical services can be 20-30 minutes or longer. I've heard stories of superintendents who called for help when they saw a suspicious person on campus, and they didn't receive a response for 30 minutes. Another said they made a call for help, and they are still waiting for a response. Luckily, these situations did not turn out to be dangerous. But these situations place a huge burden on school administrators who are relying on professionals who may be a great distance from the school.

Some rural schools have authorized a policy or are considering a policy to allow board-approved employees to carry a concealed firearm in the school building. School officials at those schools will not say how many employees carry a gun while on campus. The schools have created a "School Security Team" capable of being their own first responders.

One such school, Harrold ISD, refers to their plan as the "Guardian Plan." According to Superintendent David Thweatt, in order to take part in the Guardian Plan, a Concealed Handgun License is required, along with additional Active Shooter Training and school board approval. Those selected, known as Guardians, are not allowed to keep weapons in a purse or locked in a desk. The weapon must also remain out of sight. To prevent the risk of ricochet, only bullets designed to break apart on impact can be used. Not everyone can sign up.

Schools do not have the funds needed to pay for the specialized training for school employees that this type of plan would require. The state should provide this specialized training for school personnel so that the training and certification are standardized and are of the highest levels. The training and certification/re-certification should be mandatory and should be required at periodic intervals.

There is already a provision in the law for schools to allow certain people, including employees, to carry firearms on school campuses. For schools that decide to arm certain staff with firearms under current law, those schools and individuals take on additional responsibility and potential liabilities that need to be considered.

Probably the most important support rural schools could receive from the state would be some assurance through statute of immunity from liability for these types of situations. If this is already the case, it would help schools to be aware of these laws. Schools need to know that school personnel are immune from liability if they implement the policy currently allowed by state law.

Closing Remarks

There is not one School Safety Plan that solves every possible scenario involving school safety. Violence could happen anywhere. There are as many ways to address school safety issues as there are schools in Texas.

We must find ways to solve these safety issues. It's been done in other areas. Commercial airlines are now allowing certain personnel to carry a concealed handgun on flights. Air Marshals and off-duty pilots with a lawful handgun on his/her person have all but stopped the violence on commercial airline flights.

Rural schools basically need the State of Texas to support our schools with the following:

- 1. Immunity from liability**
- 2. Flexibility for developing our own safety plans and policies needed for our situation**
- 3. Financial support**

I look forward to working with you to find ways to address school safety issues in all of our Texas public schools.

Gene Sheets, Ed.D.
President, Texas Association of Rural Schools
Superintendent, Muleshoe ISD