

Effective June 26, 2022

§103.1211. Active Threat Exercises.

(a) Each local educational agency (LEA), which includes school districts and open-enrollment charter schools, **that elects to** conduct an active threat exercise, defined as any exercise that includes a simulated active aggressor or an active shooter simulation, shall do so in accordance with Texas Education Code (TEC), §37.1141, and this section.

(1) **LEAs are not required to conduct active threat exercises.**

(2) LEAs may consider using a tabletop exercise as defined in §103.1209 of this title (relating to Mandatory School Drills) to achieve the purpose, goals, and objectives of the exercise rather than using a functional or full-scale active threat exercise.

(3) LEAs may consider conducting an active threat exercise during a non-instructional time when nonparticipants are not present in the facility.

(b) **Prior to conducting an active threat exercise, an LEA must:**

(1) **provide adequate notice** of the exercise directly to individuals participating in the exercise, parents of students participating in the exercise, and all other individuals impacted by the exercise. Adequate notice of the active threat exercise shall also be posted through multiple distribution networks, including, but not limited to, the LEA's **website and social media platforms.**

(A) To be considered adequate notice, notice shall be provided and posted **at least two weeks prior to the exercise.**

(B) The notice shall include the following required elements specified in TEC, §37.1141(a)(1):

(i) the date on which the exercise will occur;

(ii) the content, form, and tone of the exercise; and

(iii) whether the exercise will include a live simulation that mimics or appears to be an actual shooting incident;

(C) The notice shall be provided to parents in the parents' native language to the greatest extent practicable.

(2) make an audible announcement over the campus public address system immediately prior to the commencement of the exercise to signal the start of the exercise to the participants, noting that it is only an exercise and not a real emergency. The announcement must contain the elements specified in TEC, §37.1141(a)(2); and

(3) ensure that the content of the exercise, which includes planning and execution of the exercise, addresses the following elements:

(A) input from multiple stakeholder perspectives in the design of the exercise;

(B) the physical and psychological safety of all participants before, during, and after the exercise, including:

(i) planning in a trauma-informed manner to minimize potential trauma for students, staff, and other participants;

(ii) the development and communication of a predetermined method for participants to withdraw from the exercise before or during the exercise; and

(iii) access to mental health supports before, during, and after the exercise; and

(C) the developmental appropriateness of the exercise, which includes a comprehensive perspective that supports the cognitive and emotional well-being of each individual and considers the impact that prior trauma, grief, and crisis experiences have had on a participant's development prior to the exercise. Developmental appropriateness considerations include the needs of special populations, including students with disabilities and emergent bilingual students.

(c) In accordance with TEC, §37.1141(c), **data regarding the efficacy and impact of an active threat exercise shall be collected and submitted to the Texas School Safety Center (TxSSC)** using the methods developed by the TxSSC.