

**RESOLUTION OF THE
BOARD OF TRUSTEES OF NAZARETH INDEPENDENT SCHOOL DISTRICT
CONCERNING THE PROVISION OF ARMED SECURITY OFFICERS ON DISTRICT
CAMPUSES**

At a lawfully called meeting on September 13, 2023, the Nazareth Independent School District Board of Trustees (the "Board") does hereby make the following Resolution regarding the provision of armed security officers on each Nazareth Independent School District ("District") campus:

WHEREAS, the 88th Legislature passed and Governor Abbott signed into law House Bill 3, effective September 1, 2023; and,

WHEREAS, House Bill 3 added section 37.0814 to the Texas Education Code, requiring the Board to determine the number of armed security officers for each District campus and to ensure at least one (1) armed security officer is present during regular school hours at each campus; and,

WHEREAS, section 37.0814 requires a security officer to be: (1) a school district peace officer; (2) a school resource officer; or, (3) a commissioned peace officer employed as security personnel under section 37.081 of the Texas Education Code; and,

WHEREAS, the Board may claim a good cause exception from the requirement to comply with section 37.0814 if the District's noncompliance is due to the unavailability of: (1) funding; or, (2) personnel who qualify to serve as a security officer under section 37.0814.; and,

WHEREAS, the Board must develop an alternative standard with which the District is able to comply if it cannot fulfill the aforementioned requirements of section 37.0814; and,

WHEREAS, an alternative standard may include providing a person to act as a security officer who is a school marshal or a school district employee or a person with whom the district contracts who (1) has completed school safety training provided by a qualified handgun instructor certified in school safety under section 411.1901 of the Government Code, and (2) carries a handgun on school premises in accordance with written regulations or written authorization of the District under Section 46.03(a)(1)(A) of the Penal Code (the "alternative standard"); and,

WHEREAS, the District is required to maintain documentation of the District's implementation of and compliance with Section 37.0814; and,

WHEREAS, the District lacks funding to ensure an armed security officer is present on each school campus, as demonstrated in **Exhibit A**; and

WHEREAS, the District is unable to engage the services of personnel who qualify to serve as a security officer as demonstrated in **Exhibit A**; and

WHEREAS, the BOARD has developed an alternative standard in order to comply with section 37.0814, as provided in Board Policy CKC(LOCAL) and CKC (REGULATION) and related Board Policies.

NOW THEREFORE BE IT RESOLVED, that the recitals contained in the Resolution are true and correct and are adopted as findings of fact and operative provisions hereof; and,

BE IT FURTHER RESOLVED, that the Board determines that at least one (1) armed security officer or authorized employee under its alternative standard should be provided for each District campus; and,

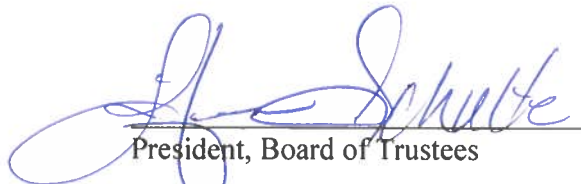
BE IT FURTHER RESOLVED, that the Board claims a good cause exception from the requirement to comply with section 37.0814 by reason of lack of funding and personnel who qualify to serve as a security officer; and,

BE IT FURTHER RESOLVED, that the Board finds that it may satisfy the requirements of section 37.0814 by implementing the alternative standard documented in Board Policy CKC (LOCAL) and CKC (REGULATION); and,

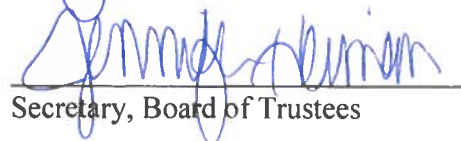
BE IT FURTHER RESOLVED, that the Board directs and authorizes the Superintendent to take any and all action necessary to maintain compliance with Section 37.0814.

PASSED AND APPROVED by the Nazareth Independent School District Board of Trustees this 13th day of September, 2023.

Attest:



President, Board of Trustees



Secretary, Board of Trustees

Exhibit A



NAZARETH ISD

HOME OF CHAMPIONS

101 SOUTH 1ST STREET

NAZARETH, TX 79063

(Phone) 806-945-2231

(Fax) 806-945-2431

September 8, 2023

MEMORANDUM

TO: Nazareth Board of Education

FROM: Dr. Kara Sue Garlitz

SUBJECT: HB3 Implementation

In response to the 88th Legislature's passing of HB3 which added section 37.0814 to the TEC, school districts are required to ensure at least one (1) armed security officer is present during regular school hours at each campus. Section 37.0814 further requires a security officer to be: (1) a school district peace officer; (2) a school resource officer; or (3) a commissioned peace officer. However, the Board may claim a good cause exception from the requirement of section 37.0814 if the District lacks availability of: (1) funding; and/or, (2) personnel who qualify to serve as a security officers and the Board adopts an alternative standard. I have evaluated the availability of school funds and personnel and recommend that the Board adopt a resolution to claim a good cause exemption from TEC 37.0814.

In conferencing with Sheriff Sal Rivera, his department is unable to provide a full-time deputy/deputies for our school. His letter is included. There is no other law enforcement agency available to provide security officers to the District. Therefore, no commissioned peace officers can serve as security officers as mandated by TEC 37.0814.

In addition, it must be noted that with our limited resources from the state regarding HB3, it would be cost prohibitive for our district to add a full-time armed resource officer even if one becomes available. The cost to the District is believed to be in the range of \$60,000-\$75,000 per year per officer in salary, plus the additional costs of TRS and insurance benefits, training, and equipment. The amount of revenue provided under HB 3 is inadequate to cover this expense. I did note "per officer" because although we claim only one campus, the district would likely be considered to have both an elementary school and a secondary school, so we could end up needing 2-3 officers to meet the state's requirements to have an officer available at all times at each campus.

Exhibit A

With the district being unable to engage the services of personnel who qualify to serve as a security officer, and a lack of funding, I recommend that the Board claim an HB3 Good Cause Exception.

In claiming a Good Cause Exception, I further recommend that Nazareth ISD continue to utilize our certified Armed Guardians that we put into practice through CKC(LOCAL), and maintain with CKC(REGULATION), as the District's official "alternative standard" for TEC 37.0814. We will stay in contact with the Sheriff's office for support, assistance, and a presence if there is a need or concern.

We have been advised that there will be upcoming policy updates where there will be a recodification of policies related to Guardian Plans. These policies will be moved from CKC(LOCAL) to either CKE(LOCAL) or CKED(LOCAL) depending on our district's usage of security personnel. For that reason, I am informing the board of revisions I am making to CKC(REGULATION) to include certain training required under TEC 37.0814. We will go over those changes at our next meeting.

Attachment: Letter from Sheriff Sal Rivera

Exhibit A

SAL RIVERA
SHERIFF



**OFFICE OF THE SHERIFF
CASTRO COUNTY**

Office (806) 647-3311
Fax (806) 647-2189

September 11, 2023

Dr. Kara Garlitz
Nazareth Independent School District
101 S. 1st Ave
Nazareth, Texas 79063

Reference: Shortage of Manpower and not having the ability to provide a full-time law enforcement officer to school districts as required by HB 3.

Dr. Garlitz,

I am writing to inform you that the Castro County Sheriff's Office does not have the law enforcement personnel to provide a full-time Deputy for every campus in the Nazareth Independent School District.

During the Day Shift patrol, Deputies patrol Nazareth and go by the school campuses as often as they can. We will be available as needed and respond to emergencies as they arise.

If you need anything else, please contact me or my Office at any time.

Respectfully,

Sal Rivera

Sheriff Sal Rivera