

Board of Trustees Meeting Date: June 22, 2026

Agenda Category: Consent Item

Agenda Item Number: 8.G.1.

Agenda Item Title: APPROVAL OF RESOLUTION FOR GOOD CAUSE ON ARMED SECURITY PERSONNEL



Superintendent's Recommendation: The Superintendent recommends that the Board of Trustees approve the Weslaco Independent School District Resolution for Good Cause Exception for "Armed Campus Personnel" as per HB3 as presented.

Rationale: During the State's 88th Session, (Spring 2023) the Texas Legislature adopted HB3, which contained section 37.0814 of the TEXAS EDUCATION CODE (the "Code") that requires the District to ensure that at least one, armed security personnel is present during regular school hours at each District campus. The Board has determined it is unable to comply with the Code due to lack of qualified personnel to serve as armed security personnel; and because it is unable to comply with the Code, the Board of Trustees desires to claim a Good Cause Exception from the requirements outlined in the Code; and despite the lack of qualified personnel, the Board of Trustees is committed to creating the safest environment for students and has developed an alternative standard (the "Alternative Standard") providing the following: A person or persons to act as armed security personnel who will be authorized to carry a firearm on District property in accordance with the Texas Penal Code sec. 46.03 as outlined in the Resolution.

Paperwork Impact: Minimal

Budget Fund Source: N/A

Board Policy Reference & Compliance:

BAA(LEGAL)	-	Board Legal Status: Powers and Duties
BBE(LOCAL)	-	Board Members: Authority
CH(LOCAL)	-	Purchasing and Acquisition
CKC(LOCAL)	-	Safety Program/Risk Management: Emergency Plans
CKE(LOCAL)	-	Safety Program/Risk Management: Security Personnel
DH(LOCAL)	-	Employee Standards of conduct
FN(LOCAL)	-	Student Rights and Responsibilities

Additional Information Attached: 4 Page (s)

Prepared By: Daniel Reyna
Title: Executive Director

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Approved By: Abel Aguilar
Title: Deputy Superintendent

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Recommended By:

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Dr. Richard Rivera
Superintendent of Schools

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE
WESLACO INDEPENDENT SCHOOL DISTRICT CONCERNING
COMPLIANCE WITH CERTAIN PUBLIC-SCHOOL SAFETY AND
SECURITY REQUIREMENTS AND OTHER MATTERS RELATED
THERE TO**

STATE OF TEXAS

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COUNTY OF HIDALGO

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The following resolution is adopted by the Board of Trustees (the “Board”) of the Weslaco Independent School District (“WISD” or “District”) at a duly called meeting on June 22, 2026.

WHEREAS, WISD is a public school district and political subdivision of the State located in Weslaco, Texas authorized to provide a K-12 public school program under the laws of the State; and

WHEREAS, during the 88th Session, the Legislature adopted HB 3, which contained section 37.0814 of the TEXAS EDUCATION CODE (the “Code”) that requires the District to ensure that at least one, Armed Security Personnel is present during regular school hours and after school hours at school-sponsored and sanctioned student’s activities on campus or off campus; and

WHEREAS, the Board has determined it is unable to comply with the Code due to the lack of qualified personnel to serve as Armed Security Personnel pursuant to the Code; and

WHEREAS, because it is unable to comply with the Code, the Board desires to claim a good cause exception from the requirements outlined in the Code; and

WHEREAS, despite the lack of qualified personnel, the Board is committed to creating ~~Standard~~ ^{Standard} ~~providing the following~~ and has developed an alternative standard (the “Alternative

A person or persons who is qualified to act as armed security personnel who will be authorized to open carry a firearm on district campuses and property in accordance with the Texas Penal Code sec. 46.03, Designation of School Employees Authorized to Carry Firearms. Under the authority of the federal Gun-Free School Zones Act and the Texas Penal Code, school districts can grant written permission for anyone, including designated employees, to open carry firearms on campus. 18 U.S.C. § 922(q)(2)(B)(v); Tex. Penal Code § 46.03(a)(1)(A). An individual authorized by the district in writing to carry a firearm on school premises is not carrying the firearm pursuant to the individual's handgun license to carry, but rather pursuant to the written authority granted under Texas Penal Code section 46.03. Tex. Attorney Gen. Op. No. GA-1051 (2014). If the firearm has moved in or otherwise affects interstate or foreign commerce, the permission must be in the form of a contract between the school and the individual or be part of a school district-approved program. 18 U.S.C. § 922(q)(2)(B). and pursuant to relevant Board Policy CKE, CKC and DH (the "Safety and Security Policies"), is:

- a. A person holding a Texas Commission on Law Enforcement Active Peace Officer License
 - b. A school marshal; or
 - c. A school guardian; and
 - d. A Retired Peace Officer qualified to carry a firearm under the federal statute of the Law Enforcement Officer Safety Act; or
 - e. A Private Security Level III Guard licensed through the Texas Department of Public Safety, working for a private security company as defined by the Texas Occupation Code 1702.
2. The role of persons carrying a firearm on school grounds. A.) Subject to subsection (b) a person permitted to carry a firearm on a campus or property of a school district may **not** preformed the routine law enforcement duties of a police officer including making arrests unless the duty is performed in response to an emergency that poses a threat of death or serious bodily injury to a student, school district employee or other individual at a district campus or property. (TEC sec. 37.089)

WHEREAS, this resolution (the "Resolution") will serve as the documentation of the District's claim of a good cause exception pursuant to the Code; and

WHEREAS, the board limits the jurisdiction of the Armed Security Personnel to the district campuses and district property within, and outside the district's boundaries or while supervising school-sponsored and sanctioned student's activities outside the district's boundaries.

WHEREAS, the Board desires that the Superintendent to set all necessary standards, training including setting the limits of armed personnel needed, qualifications, including but not limited to maintaining a Texas Department of Public Safety (DPS) License to Carry, have a DPS School Safety Certificate of Completion, maintaining a DPS Private Security Guard Level III certification, psychological testing, random negative drug testing, random criminal checks and firearm qualifications of a minimum score of 90% of 250 and any additional mandated training of selected personnel and take action to implement and comply with the Alternative Standard.

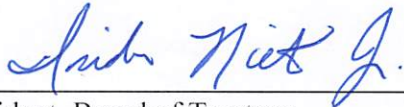
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Superintendent recommends and the Board hereby declares that the District is unable to meet the requirements of the Code due to the limited availability of personnel who qualify to serve as an Armed Security Personnel pursuant to the Code.
2. The District claims a good cause exception to the requirements outlined under the Code and has in place an Alternative Standard that includes:
 - a. providing a person(s) to act as armed security personnel who, pursuant to the relevant Safety and Security Policies, is:
 - i. A person holding an Active Texas Commission on Law Enforcement Peace Officer License
 - ii. A school marshal; or
 - iii. A school guardian; and
 - iv. A Retired Peace Officer qualified to carry a firearm under the Federal Statue of the Law Enforcement Officer Safety Act and State and registered with the Texas Commission of Law Enforcement

v. A Private Security Level III Guard licensed through the Texas Department of Public Safety, working for a private security company as defined by the Texas Occupation Code 1702.

3. The Board does hereby authorize the Superintendent or designee to take all necessary actions to implement and comply with the Alternative Standard outlined above.
4. This Resolution shall be made a part of the official minutes of the Board meeting at which it is adopted and serves as documentation of the good cause exception claimed by the District;

PASSED and ADOPTED by the Board of Trustees of the Weslaco Independent School District on this 22nd day of June, 2026 I hereby certify that the foregoing is a full, true, and correct copy of the resolution passed at the Regular Meeting of the Board of Trustees of Weslaco Independent School District held on: June 22, 2026.

By: 
President, Board of Trustees

Attest: 
Secretary, Board of Trustees