

5 QUESTIONS SCHOOLS SHOULD CONSIDER BEFORE RETAINING SECURITY AUDITORS TO PROMOTE CAMPUS SAFETY

Insights
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As schools review their safety and security protocols, many are turning to third-party security auditors or consultants for help. These outside security professionals can help you review and evaluate your school's security profile, assessing the level of risk you may face from different threats and suggesting areas for improvement. A security consultant can certainly be a great resource for your school – but you should consider five key questions before you retain one to maximize the benefits you'll receive and minimize potential liabilities.

1. Have You Involved Your Legal Counsel?

The first question you should ask is whether it makes sense to engage legal counsel to help you throughout the security audit process. Your attorneys can help you identify and vet possible consultants, draft a contract between the consultant and the school, and also help your school to review and clarify any report(s) the consultant prepares. Engaging a security auditor through your legal counsel can also help to shield some of these sensitive conversations and potential documents from discovery in the event of any litigation through the attorney-client privilege and perhaps the work product doctrine. Keep in mind however this protection may be a gray area in some states.

2. Do You Have a Written Contract?

It may be tempting to skip the contracting phase and move forward with a security consultant via an informal

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or handshake agreement, but it makes good business sense to have a written contract when working with any third-party vendor. A written contract can help to clearly lay out the scope and cost of the consultant's work, the parameters of the audit, timing expectations, and the final product that the consultant is expected to deliver to your school. A handshake agreement always leaves room for ambiguity and can lead to disagreements between the parties' different understandings of the arrangement. Spending a little bit of time on the front end can alleviate potential problems on the back end and gives you a document to reference should any questions or concerns pop up.

3. Did You Double Check The Consultant's Credentials?

A quick internet search for "security consultant" will produce so many results it can make your head spin. With the number of possible consultants to pick from, it is important to vet and evaluate potential consultants to make sure they have the right credentials. Some states have stepped in to help make this process easier by establishing a School Safety and Security Consultant Registries ([such as one in Texas](#)). To appear on such registries, a consultant has to provide details about their background, education, and experience that relate to their ability to provide effective consulting services. Additionally, such databases allow you to view and complaints or litigation pending against a consultant related to their consulting work. However, in states with those registries be sure to reference check your security consultant and confirm they have experience with schools similar to yours (urban versus rural setting, preschool versus k-12, small versus large, religious versus secular, etc.).

4. Have You Conducted a Background Check?

As with any vendor who does work for your – school particularly those who will be on campus – it is important to make sure the security consultant you hire and all of its employees who will be on campus are thoroughly background checked. A security audit is sensitive work, so you want to make sure that the consultant and any other employees who might be on campus are screened for red flags **before** they arrive. Most security vendors will have pre-vetted their employees, but you should have

them confirm this in writing (preferably as part of a written contract).

5. Do You Have a Budget?

Having strong security procedures on your campus is essential and the safety and well-being of students and employees is first priority. Budgetary expenditures should be prioritized accordingly but the reality is that not all schools have unlimited resources. We recommend speaking in advance with your security consultant about the general scope of the school's overall operating budget and what is feasibly attributable to security. If you are a school with a \$1 million per year operating budget and little to no endowment, it is probably not feasible to have security audit recommendations of \$3 million. For example, campus-wide surveillance cameras that are fully staffed 24/7 might make your campus fortress-like but may be prohibitively expensive. Helping your security auditor understand this context helps them prioritize their recommendations, potentially phase your implementation, and overall provides a more useful product from the auditor, sometimes with brilliantly creative solutions.

Conclusion

Please consult your Fisher Phillips attorney, the authors of this Insight, or any attorney on [our Education Team](#) to obtain practical advice and guidance on how to work with security consultants. You can subscribe to the [Fisher Phillips' Insight system](#) to make sure you receive the most up-to-date information on all things education law directly in your inbox.