

By: Patrick

H.B. No. 2491

A BILL TO BE ENTITLED

AN ACT

relating to disclosure of certain personal information of applicants for employment with and current and former employees of public school entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 22, Education Code, is amended by adding Section 22.010 to read as follows:

Sec. 22.010. DISCLOSURE OF PERSONAL INFORMATION. (a) This section applies to information in the custody of a school district, open-enrollment charter school, or shared services arrangement that concerns an applicant for employment with or a person currently or formerly employed by the district, school, or shared services arrangement, including a substitute teacher or student teacher, and that:

(1) relates to the applicant's or employee's:

(A) home address;

(B) home telephone number;

(C) personal cellular phone number;

(D) date of birth;

(E) criminal history record information;

(F) driver's license number;

(G) personal electronic mail address; or

(H) social security number; or

(2) reveals whether the applicant or employee has

1 family members.

2 (b) Information described by Subsection (a):

3 (1) is not considered public information under Chapter
4 552, Government Code; and

5 (2) may be made accessible to the public by a school
6 district, open-enrollment charter school, or shared services
7 arrangement only if the applicant or employee to whom the
8 information applies:

9 (A) provides written notice to the district,
10 school, or shared services arrangement of the applicant's or
11 employee's election to authorize public access to the information;
12 and

13 (B) does not provide written rescission of the
14 authorization.

15 (c) This section does not apply to information filed with a
16 county or district clerk.

17 (d) This section does not prohibit the State Board for
18 Educator Certification, the agency, the Department of Public
19 Safety, or another entity authorized under Subchapter C from
20 conducting a criminal history record information review in
21 accordance with that subchapter.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2009.