

By: Huffines

S.B. No. 2168

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure of records produced in the course of an investigation related to educator misconduct.

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

SECTION 1. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.063 to read as follows:

Sec. 21.063. INVESTIGATION RECORDS. (a) A record produced by the board in the course of an investigation involving an alleged incident of educator misconduct, if the record is involving a complaint determined to be groundless, is confidential and not subject to disclosure under Chapter 552, Government Code.

(b) Notwithstanding Subsection (a) and except as otherwise provided by a court order prohibiting disclosure, a record produced by the board in the course of an investigation involving an alleged incident of educator misconduct may be used in a disciplinary proceeding against a teacher or administrator based on a report submitted under Section 21.006 concerning an alleged incident of misconduct, if permissible under rules of evidence applicable to a contested case, as provided by Section 2001.081, Government Code. The record remains confidential and not subject to disclosure under Chapter 552, Government Code, unless it becomes a part of the record in a contested case under Chapter 2001, Government Code.

SECTION 2. This Act takes effect September 1, 2017.