

1-1 By: Huffines S.B. No. 2168
 1-2 (In the Senate - Filed March 10, 2017; March 29, 2017, read
 1-3 first time and referred to Committee on Education; May 3, 2017,
 1-4 reported favorably by the following vote: Yeas 11, Nays 0;
 1-5 May 3, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor of Galveston	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Hall	X			
1-12 Huffines	X			
1-13 Hughes	X			
1-14 Seliger	X			
1-15 Taylor of Collin	X			
1-16 Uresti	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the disclosure of records produced in the course of an
 1-22 investigation related to educator misconduct.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter B, Chapter 21, Education Code, is
 1-25 amended by adding Section 21.063 to read as follows:

1-26 Sec. 21.063. INVESTIGATION RECORDS. (a) A record produced
 1-27 by the board in the course of an investigation involving an alleged
 1-28 incident of educator misconduct, if the record is involving a
 1-29 complaint determined to be groundless, is confidential and not
 1-30 subject to disclosure under Chapter 552, Government Code.

1-31 (b) Notwithstanding Subsection (a) and except as otherwise
 1-32 provided by a court order prohibiting disclosure, a record produced
 1-33 by the board in the course of an investigation involving an alleged
 1-34 incident of educator misconduct may be used in a disciplinary
 1-35 proceeding against a teacher or administrator based on a report
 1-36 submitted under Section 21.006 concerning an alleged incident of
 1-37 misconduct, if permissible under rules of evidence applicable to a
 1-38 contested case, as provided by Section 2001.081, Government Code.
 1-39 The record remains confidential and not subject to disclosure under
 1-40 Chapter 552, Government Code, unless it becomes a part of the record
 1-41 in a contested case under Chapter 2001, Government Code.

1-42 SECTION 2. This Act takes effect September 1, 2017.

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