

BILL ANALYSIS

S.B. 1231
By: Bettencourt
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that private school administrators, unlike certain public school administrators, are not required to be notified with regard to a Department of Family and Protective Services (DFPS) investigation of alleged child abuse or neglect involving an employee of the school and a student at the school. S.B. 1231 seeks to inform private school administration and protect children in private schools by including private school administrators in the scope of notification and reporting requirements regarding certain child abuse and neglect investigations performed by DFPS.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1231 amends the Family Code to require the Department of Family and Protective Services (DFPS), if it initiates an investigation of alleged abuse or neglect of a child and determines that the abuse or neglect involves an employee of a private elementary or secondary school and a student at the school, to orally notify the school's chief executive officer about the investigation. The bill extends the notification requirement for such an investigation that involves an employee of a public elementary or secondary school to the director of the open-enrollment charter school, as appropriate.

S.B. 1231 includes the charter school director and the chief executive officer of the private school among the persons who have control over a person's access to children and to whom DFPS is required to release information, as appropriate, regarding a person alleged to have committed abuse or neglect if DFPS makes a certain determination.

S.B. 1231 removes as a condition on the requirement for DFPS to perform an investigation of a school following receipt of a report of alleged or suspected abuse or neglect of a child in a public or private school that the alleged or suspected abuse or neglect occurred in a public or private school under the jurisdiction of the Texas Education Agency. The bill requires DFPS to send a copy of the completed report of a DFPS investigation, in the case of a private school, to the school's chief executive officer and requires DFPS to provide a copy on request to the officer for appropriate action, unless the officer is alleged to have committed the abuse or neglect.

EFFECTIVE DATE

September 1, 2019.