

BILL ANALYSIS

Senate Research Center
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S.B. 1224
By: Sparks
Education K-16
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under the Texas Education Code, superintendents must report romantic/sexual conduct and abuse between students and staff to the commissioner of education. Superintendents are also required to conduct their own investigations into alleged misconduct. Superintendents conducting investigations are not required to report to law enforcement but often utilize internal school district police. However, according to the Education Code, school district police must report to the superintendent. This creates a conflict of interest and can lead to the continuation of abuse and misconduct.

An estimated 10 percent of K-12 students will experience sexual misconduct by a school employee by the time they graduate from high school. Sometimes, school officials who should have been disciplined for sexual misconduct towards students resign rather than face punishment. In turn, these individuals with histories of sexual misconduct are hired at a different school and abuse more children. The Texas Education Agency reported that they received 2,537 reports of sexual abuse involving students and solicitation of inappropriate relationship between educator and student from September 2021 to August 2024.

S.B. 1224 amends the Education Code to include a requirement for superintendents to report alleged romantic/sexual misconduct with students and/or abuse or unlawful acts with students directly to outside law enforcement. S.B. 1224 allows the State Board for Educator Certification to impose on a superintendent for failure to report alleged misconduct an administrative penalty of at least \$500 and not more than \$10,000. It also makes failure to provide notice to outside law enforcement within 48 hours of learning about misconduct a state jail felony.

As proposed, S.B. 1224 amends current law relating to the reporting of certain public school employee misconduct to local law enforcement.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.006, Education Code, by adding Subsection (b-3) and amending Subsections (i) and (j), as follows:

(b-3) Requires the superintendent or director of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement to notify the police department of the municipality in which the entity is located or, if the entity is not in a municipality, the sheriff of the county in which the entity is located not later than 48 hours after the date the superintendent or director becomes aware that an educator is alleged to have engaged in misconduct described by Subsection (b)(2)(A) (relating to requiring certain persons to notify the State Board for Educator Certification (SBEC) if an educator's employment at certain entities was terminated and there is evidence that the educator abused a student or minor) or (A-1) (relating to requiring certain persons to notify SBEC if an educator's employment at

certain entities was terminated and there is evidence that the educator was involved in certain romantic or sexual conduct with a student).

(i) Authorizes SBEC, if an educator serving as a superintendent or director is required to provide notice under Subsection (b-3) or file a report under Subsection (c) (relating to requiring certain persons to notify SBEC by filing a report with SBEC by a certain date under certain circumstances) and fails to provide notice or file the report by the date required by the applicable subsection, rather than that subsection, or if an educator serving as a principal is required to notify a superintendent or director about an educator's criminal record or alleged incident of misconduct under Subsection (b-2) (relating to requiring certain persons to notify certain entities under certain circumstances involving the termination or resignation of an educator following alleged misconduct or the educator's criminal record) and fails to provide the notice by the date required by that subsection, to impose on the educator an administrative penalty of not less than \$500 and not more than \$10,000.

(j) Provides that a superintendent or director required to provide notice under Subsection (b-3) or file a report under Subsection (c) commits an offense if the superintendent or director fails to provide notice or file the report by the date required by the applicable subsection, rather than that subsection, with intent to conceal an educator's criminal record or alleged incident of misconduct.

SECTION 2. Amends Section 22.093, Education Code, by adding Subsection (c-1) and amending Subsections (i) and (k), as follows:

(c-1) Requires the superintendent or director of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement to notify the police department of the municipality in which the entity is located or, if the entity is not in a municipality, the sheriff of the county in which the entity is located not later than 48 hours after the date the superintendent or director becomes aware that an educator is alleged to have engaged in misconduct described by Subsection (c)(1)(A) (relating to requiring certain persons to notify certain entities if an educator's employment at certain entities was terminated and there is evidence that the educator abused a student or minor) or (B) (relating to requiring certain persons to notify certain entities if an educator's employment at certain entities was terminated and there is evidence that the educator was involved in certain romantic or sexual conduct with a student).

(i) Requires the commissioner of education (commissioner) to refer an educator who fails to provide notice under Subsection (c-1) or file a report in violation of Subsection (f) (relating to requiring certain persons to notify the commissioner by a certain time) to SBEC, and requires SBEC to determine whether to impose sanctions against the educator.

(k) Makes conforming changes to this subsection.

SECTION 3. Effective date: September 1, 2025.