

## **BILL ANALYSIS**

S.B. 1476  
By: Bettencourt  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been noted that a requirement for investigations of alleged educator misconduct involving abuse of or romantic or sexual involvement with a student or minor to be reported to the State Board for Educator Certification regardless of outcome may not sufficiently protect an educator who is falsely accused and later cleared of the allegations, since the fact of the investigation remains on the educator's certification record. S.B. 1476 seeks to remedy this situation by providing an exception to the reporting requirement for an investigation in which the reporting administrator determines that the educator did not engage in the alleged misconduct.

### **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. 1476 amends the Education Code to establish that a superintendent or director of a public school district, district of innovation, open-enrollment charter school, regional education service center, or shared services arrangement is not required to notify or file an applicable report of educator misconduct with the State Board for Educator Certification if the superintendent or director completes an investigation into an educator's alleged incident of specified misconduct before the educator's termination of employment or resignation and determines the educator did not engage in the alleged misconduct. The bill identifies the applicable misconduct as follows:

- abusing or otherwise committing an unlawful act with a student or minor; or
- being involved in a romantic relationship with or soliciting or engaging in sexual contact with a student or minor.

The bill applies beginning with the 2019-2020 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.