

**PRESENTED AT****31<sup>st</sup> Annual School Law Conference****February 25-26, 2016  
Austin, TX****Keeping Up With SBEC Laws,  
Regulations and Procedures****Co-speakers****Karla A. Schultz****Mike Harper****Brandon Y. Brim****INDEX of written materials:**

- 1. Presentation slides**
- 2. H.B. No. 1783**
- 3. H.B. No. 2205**
- 4. Proposed rule 19 T.A.C. § 249.5**
- 5. Proposed rules 19 T.A.C. § 249.15 & .17**
- 6. SBEC resolution – delegation of settlement authority**

AN ACT

1  
2 relating to the right of a school employee to report a crime,  
3 persons subject to the prohibition on coercing another into  
4 suppressing or failing to report information to a law enforcement  
5 agency, and the reporting of criminal history record information of  
6 educators and other public school employees who engage in certain  
7 misconduct; creating a criminal offense.

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

9 SECTION 1. Section 12.104(b), Education Code, is amended to  
10 read as follows:

11 (b) An open-enrollment charter school is subject to:

12 (1) a provision of this title establishing a criminal  
13 offense; and

14 (2) a prohibition, restriction, or requirement, as  
15 applicable, imposed by this title or a rule adopted under this  
16 title, relating to:

17 (A) the Public Education Information Management  
18 System (PEIMS) to the extent necessary to monitor compliance with  
19 this subchapter as determined by the commissioner;

20 (B) criminal history records under Subchapter C,  
21 Chapter 22;

22 (C) reading instruments and accelerated reading  
23 instruction programs under Section 28.006;

24 (D) accelerated instruction under Section

1 28.0211;  
2 (E) high school graduation requirements under  
3 Section 28.025;  
4 (F) special education programs under Subchapter  
5 A, Chapter 29;  
6 (G) bilingual education under Subchapter B,  
7 Chapter 29;  
8 (H) prekindergarten programs under Subchapter E,  
9 Chapter 29;  
10 (I) extracurricular activities under Section  
11 33.081;  
12 (J) discipline management practices or behavior  
13 management techniques under Section 37.0021;  
14 (K) health and safety under Chapter 38;  
15 (L) public school accountability under  
16 Subchapters B, C, D, E, F, G, and J, Chapter 39;  
17 (M) the requirement under Section 21.006 to  
18 report an educator's misconduct; ~~and~~  
19 (N) intensive programs of instruction under  
20 Section 28.0213; and  
21 (O) the right of a school employee to report a  
22 crime, as provided by Section 37.148.

23 SECTION 2. Sections 21.006(b), (b-1), (c), and (d),  
24 Education Code, are amended to read as follows:

25 (b) In addition to the reporting requirement under Section  
26 261.101, Family Code, the superintendent or director of a school  
27 district, open-enrollment charter school, regional education

Also available as part of the eCourse

[Changes and Developments in School Law: Commissioner Decisions, State and Federal Laws and Regulations, and SBEC Laws, Regulations, and Procedures](#)

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"Keeping Up with SBEC Laws, Regulations, and Procedures"