

Reporting Misconduct and The Do Not Hire Registry

School Law Conference
February 20, 2020

Speakers

Laura Moriaty

Director, SBEC Enforcement
laura.moriaty@tea.texas.gov
512-463-9733

David Rodriguez

Director, TEA Educator Investigations
david.rodriguez@tea.texas.gov
512-463-3746



- Legislative History
- Changes to Agency Authority
- Reporting Requirements
- Registry: Who, What, and Why
- Consequences of Ignoring the Registry
- Due Process
- Accessing the Registry and Reporting Portal



Enforcement of Educator Misconduct

Key Legislation 2003 - 2019



78th (2003)

- ✓ Supt. requirement to report to SBEC

SB 9 80th (2007)

- ✓ Fingerprinting
- ✓ DPS Clearinghouse
- ✓ Investigative warning and show cause

HB 1783 84th (2015)

- ✓ Report inappropriate relationship between educator and student

SB 7 - 85th (2017)

- ✓ Auto-revoke sex offender on deferred adjudication
- ✓ Principal responsible for reporting to superintendent
- ✓ Superintendent must report to SBEC within 7 business days
- ✓ Administrative penalty for failure to report to SBEC
- ✓ State Jail Felony for intent to conceal
- ✓ Pre-employment Affidavit
- ✓ Electronic Communication Policy

TEA/SBEC Authority to Investigate - Prior to HB 3

Individual	Allegations (Examples)	Authority to Investigate	Possible Enforcement Action
SBEC certified educator	Inappropriate relationship with a student	Yes	Revoke certificate
SBEC certified educator	Criminal history that places students at risk	Yes	Revoke certificate
Non-certified school employee	Inappropriate relationship with a student	No	None
Non-certified school employee	Criminal history that places students at risk	No	Inform school district of criminal history

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Reporting Misconduct and The “Do Not Hire” Registry

Also available as part of the eCourse

[Case Law and Legislative Developments in School Law: Temporary Custodian Law, "Do Not Hire" Registry, Governmental Immunity](#)

First appeared as part of the conference materials for the
35th Annual School Law Conference session
"“Do Not Hire” Registry"