

SB 763
Frequently Asked Questions

Relating to allowing public schools to employ or accept as volunteers chaplains.

1. What actions must school boards take related to SB 763?

Each board of trustees of a school district and each governing body of an open-enrollment charter school **must** take a record vote not later than **March 1, 2024** authorizing whether the school is going to employ or accept as a volunteer a chaplain. School districts have the authority to determine volunteer and/or employment roles of school chaplains.

2. What is the deadline by which school boards have to vote to be in compliance with the statute?

The effective date of SB 763 was September 1, 2023. Therefore, board of trustees of a school district and each governing body of an open-enrollment charter school must take a record vote on the employment and/or allowing for volunteer school chaplains **not later than March 1, 2024**. School boards may put this item on their agenda for a vote of reconsideration at any time.

3. What options for utilizing the services of chaplains are provided by the statute?

Per the statute, school districts and open-enrollment charter schools may employ chaplains or accept chaplains as volunteers to provide support, services, and programs for students. [TEC 48.115](#) lists the responsibilities that you may employ or contract with school chaplains for services that they may provide to that school district.

4. Can charter schools utilize the services of chaplains?

Yes, the statute permits charter schools to employ chaplains and/or accept chaplains as volunteers. The statute also requires charter school governing boards to hold a record vote related to the statute by the deadline described above.

5. What source of district funds can be used to pay for chaplains?

Districts may use funds from their School Safety Allotment or eligible school safety grant funds to pay for chaplains. Districts may also use general fund revenue to pay for chaplains. And districts may use state special allotment funds to pay for chaplains, if both the students being served and the services provided by the chaplain must meet the state program's requirements.

6. Do chaplains have to be licensed or certified?

Statute does not contain any licensure requirements for chaplains and expressly states that a chaplain employed, or volunteering is not required to be certified by the State Board for Educator Certification.

The federal government recognizes certain entities as chaplain boards and endorsing entities for chaplain organizations, with lists maintained, for example, by the [Department of Defense](#) and the [U.S. Department of Veterans Affairs](#). School board can choose to use those lists if desired. School districts may also use those organizations to help identify and recruit employed or volunteer chaplains and otherwise provide training.

7. What limitations are placed on the utilization of chaplains?

As a school employee, the chaplain would be subject to the background check fingerprinting requirements under Texas Education Code (TEC) 22.0833 and the “Do Not Hire Registry” background check (TEC 22.092). A district or open-enrollment charter school may not employ or accept as a volunteer a chaplain who has been convicted of or placed on deferred adjudication community supervision for an offense for which a defendant is required to register as a sex offender under Chapter 62, in the Code of Criminal Procedure.

8. Does TEA have a record of which districts have chaplains employed or volunteering in their district?

No, TEA was not appropriated resources to track implementation of this statute.

9. Could a school district provide chaplain supports for their teachers?

Yes, a district could choose to provide supports from chaplains for their teachers.

10. If a school district votes to employ chaplains, what are the PEIMS data reporting impacts?

Code 121 - Chaplains was added to the Role-ID code table in order for these staff members to be reported in the PEIMS Fall Submission for Staff Responsibility data.