

# Human Trafficking Prevention and Awareness Webinar Series

## Reporting & Investigating Educator Misconduct

March 5, 2021

Before we get started, please...

- *mute your mics*
- *add your name and ESC/District*



# Human Trafficking Prevention and Awareness Webinar Series

## Reporting and Investigating Educator Misconduct

March 5, 2021 | 10:30am – 11:30am



## Objective and Purpose:

Human Trafficking Child Abuse Prevention Webinar Series is brought to you as a part of a collaborative workgroup with Office of the Governor's Child Sex Trafficking Team, Region 14/Title IV Initiative, Region 12, TEA and other stakeholders to support state roll out and implementation of Human Trafficking prevention and awareness in Texas schools.

## SAVE THE DATES

### Human Trafficking Prevention and Awareness Webinar Series

Educators are in a unique position to help in the fight against human trafficking. Not only are educators vital in recognizing the warning signs of trafficked students, but also in guiding potential victims to find resources and support. TEA, the Title IV, Part A Statewide School Safety Initiative (ESC Region 14), ESC Region 12, and the Office of the Governor's Child Sex Trafficking Team are launching a series of webinars to support ESCs and LEAs during the 2020-2021 school year.

All Zoom meetings will be held from 10:30-11:30 am and are open to ESCs and LEAs, unless noted below.

Please click link to access each meeting:



See topics and dates below:

Friday, Nov 6	Community Resource/Asset Mapping (ESC only)
Friday, Dec 4	Human Trafficking (HT) 101
Friday, Jan 8	HT Prevention Awareness Month - Internet Safety
Friday, Jan 29	HT Prevention Awareness Month - Panel with HT survivors
Friday, Feb 5	Topic TBD
Friday, Mar 5	Topic TBD
Friday, Apr 9	Topic TBD (ESC only)
Friday, June 4	Topic TBD

 [preventinghumantrafficking@tea.texas.gov](mailto:preventinghumantrafficking@tea.texas.gov)



## Speakers

**Tina Farrell**

Investigator

**Deborah Owen**

Investigator

**David Rodriguez**

Director



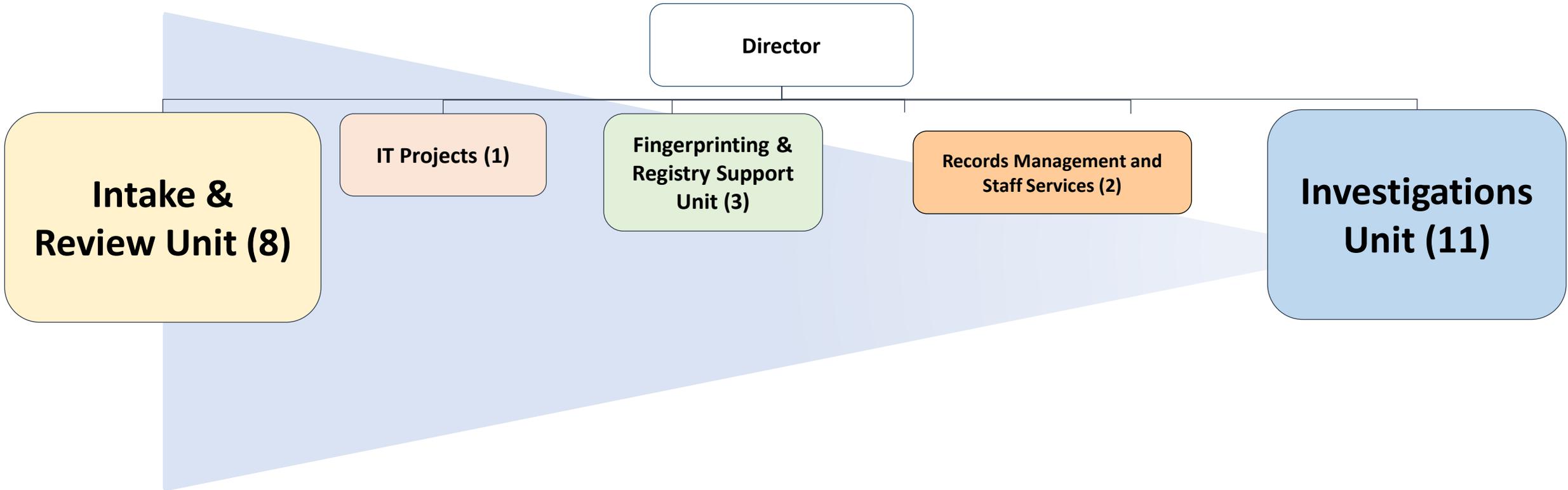


# Objective and Responsibilities



Protect the safety and welfare of Texas students by investigating allegations of misconduct against educators and school employees

# TEA Educator Investigations



# Educator Investigations: Responsibilities

**Intake and review reports** of misconduct and criminal histories

**Conduct administrative investigations** of SBEC certified educators, non-certified educators, and school employees

**Make recommendations** for sanctions; **settle matters** informally according to rules; **make referrals** for litigation

**Provide customer support** to Texas public and private schools and applicants for SBEC certification –Fingerprinting, Do Not Hire Registry, Misconduct Reporting Portal

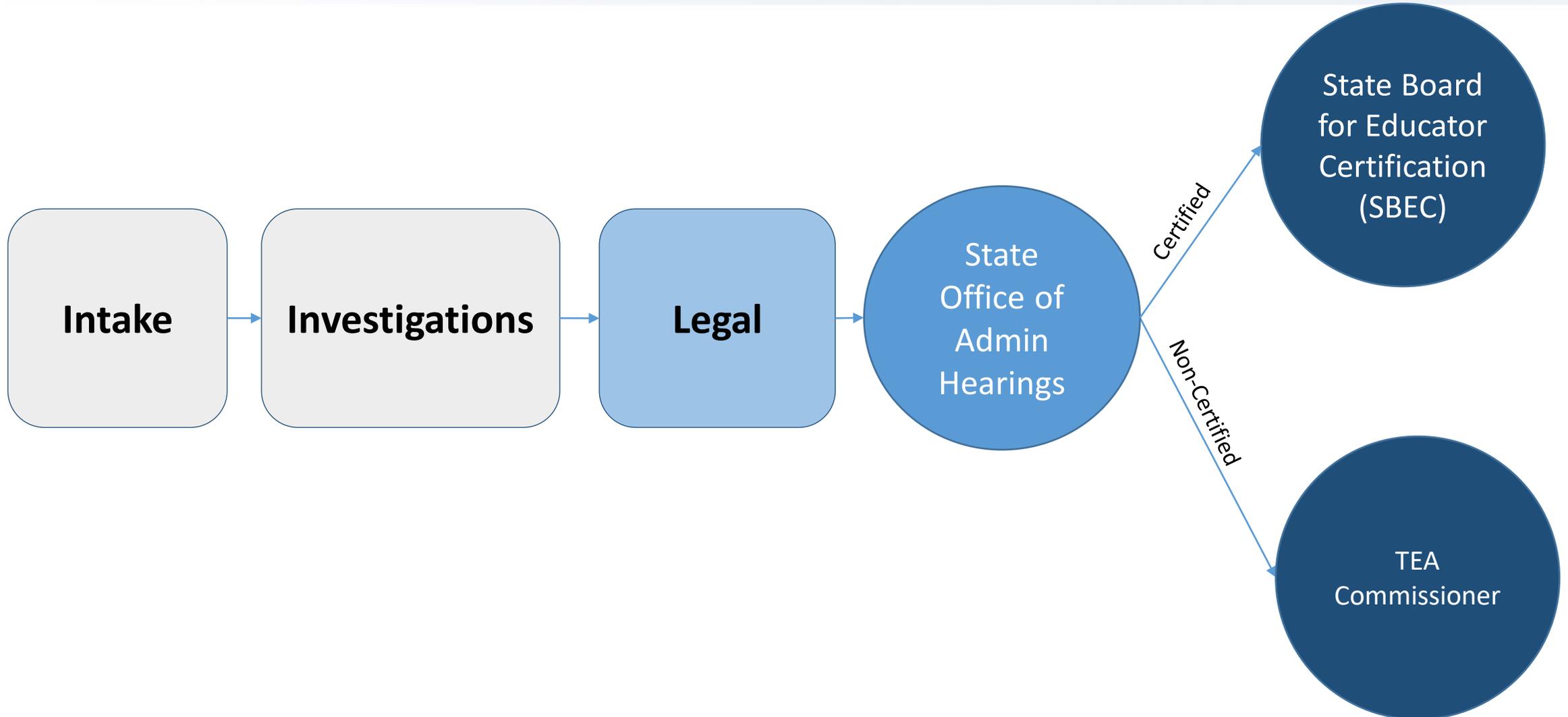
**Maintain IT applications-** Do Not Hire Registry, Misconduct Reporting Portal, ECOS Fingerprinting and Enforcement workflow



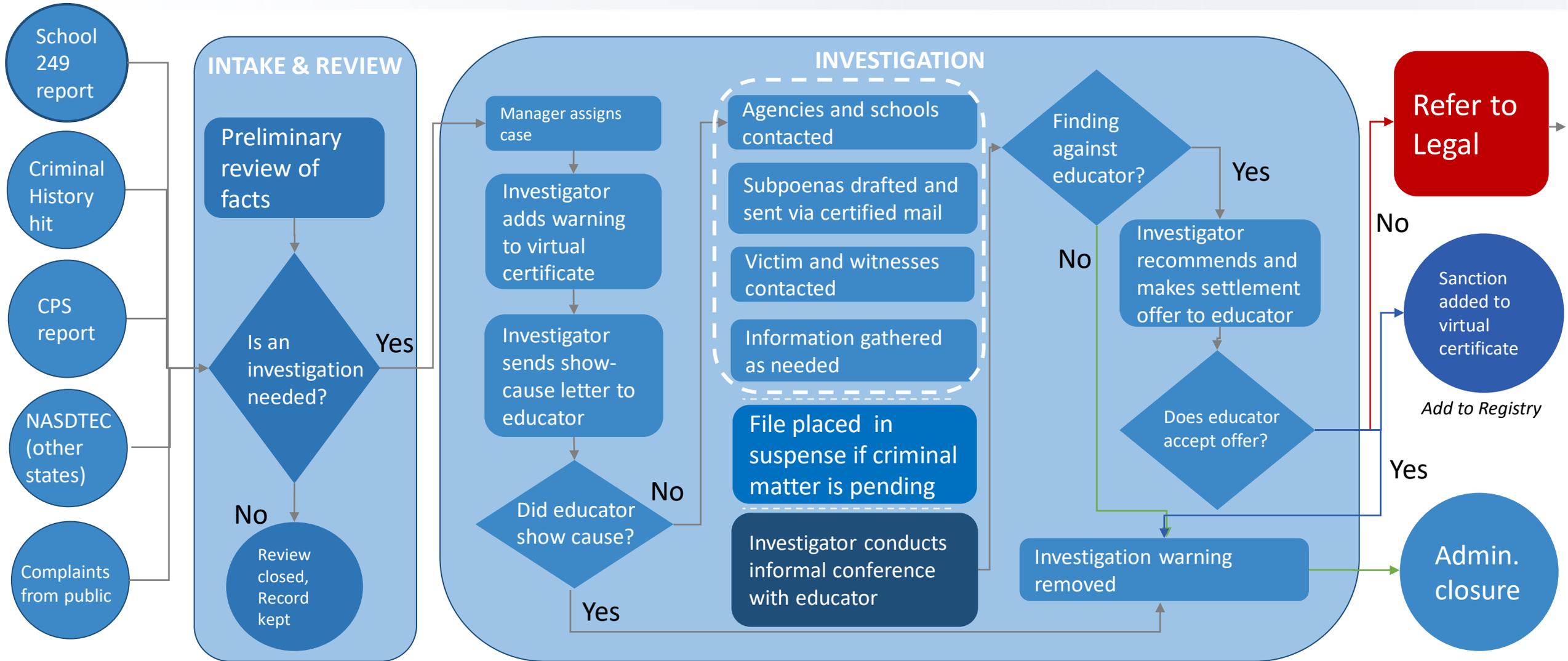
# Investigation Process



# Investigation and Litigation Process



# Investigations: Certified Educators



# Case Trends



# Categories of Cases Investigated

Sexual Misconduct

Violence in School against student / minor

Violence Non-School

Drugs & Alcohol

Sexual Harassment

Official Misconduct

Fraud

Burglary

Theft

Hazing

Inappropriate relationship with a student / minor

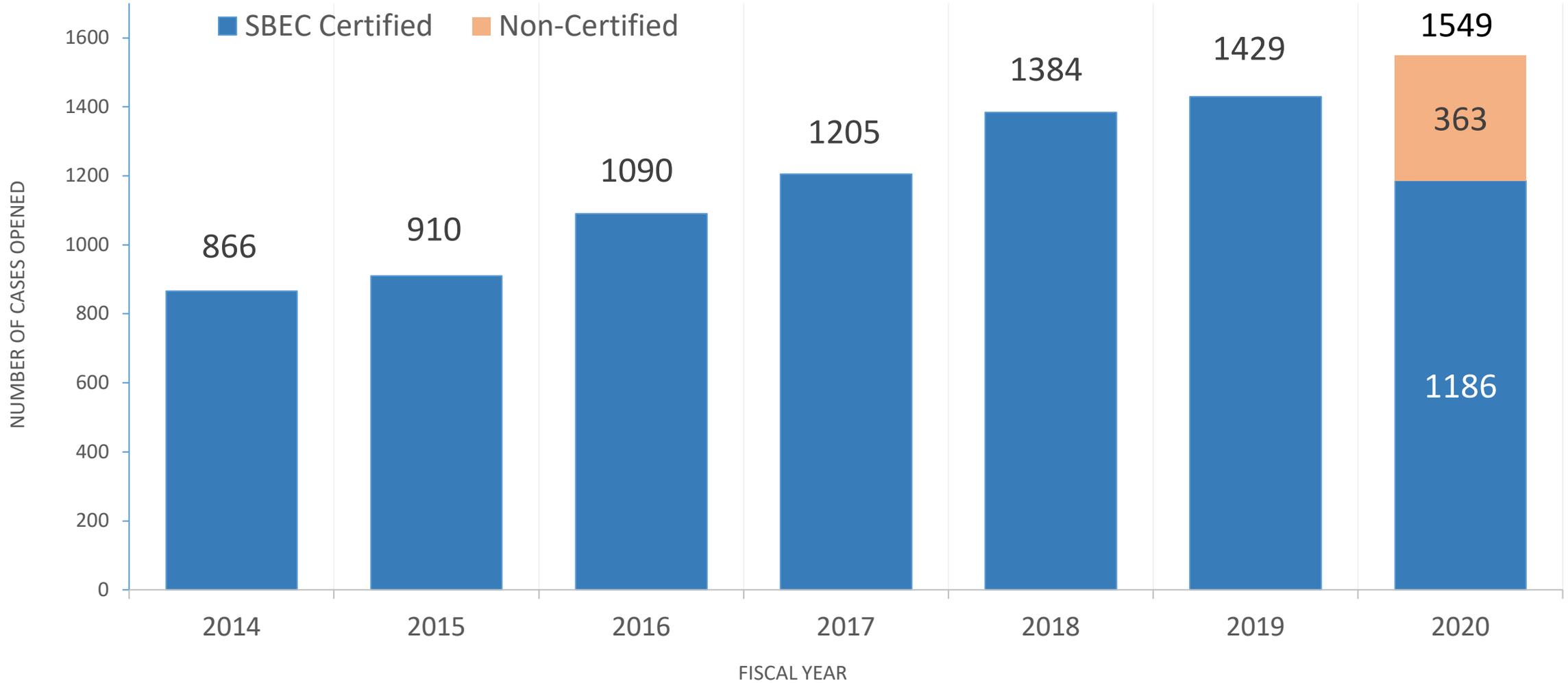
Miscellaneous

Failure to Report to TEA

Testing Violations

Contract Abandonment

# All Cases Opened



# Recent Decline in Reports of Misconduct Received from Schools

Fiscal Year	Reports Received (Aug – Feb)	% Change from Prior Year
2018	972	
2019	1,083	11%
2020	1,181	9%
2021	501	-58% <ul style="list-style-type: none"> <li>• IRWSM</li> <li>• Violence in Classroom</li> </ul>



Comparing Criminal to  
Administrative Investigations

# Comparing Investigations

**Criminal**



**Administrative**



**Burden of proof**

**Crimes vs. Misconduct**

# Responsibilities for Administrators and Schools



# Administrator and School Responsibilities TEC Chap 21 and 22

Upload employees to TEA system to initiate fingerprinting  
Superintendents certify compliance annually  
TEC Chap 22

Ensure employees are fingerprinted

Search Do Not Hire Registry

Refuse to hire or terminate if on DNHR  
Non-compliance carries penalties for charter schools and DOIs  
TEC Chap 22

Investigate allegations of misconduct, despite resignation  
Create procedures to ensure requirements are met  
TEC Ch 21 and 22

Investigate allegations of misconduct

Report misconduct to TEA/SBEC

Report through Misconduct Reporting Portal  
Failure to report carries penalties  
TEC Ch 21 and 22

# What is the “Do Not Hire” Registry?

An online list of individuals who are not eligible for employment in a Texas public school based on misconduct or criminal history. The list can be accessed by schools through TEAL, or by the public through the TEA website.



In Statute

In Statute: Registry of persons not eligible for employment in public schools - TEC §22.092 as created by HB 3, individuals not eligible for employment - TEC §22.0832, §22.0833, §22.085 and §21.058(b)

# Who must TEA place on the Registry?

- Individuals who had an SBEC certificate revoked who
  - Abused a student or minor; or
  - Involved in a romantic relationship with or solicited / engaged in sexual contact with a student or minor
- Non-certified employees who were found to have:
  - Abused a student or minor; or
  - Involved in a romantic relationship with or solicited / engaged in sexual contact with a student or minor
- Individuals who were
  - Placed on the sex offender registry after receiving deferred adjudication or being convicted; or
  - Convicted of a Title V offense where the victim was under 18
  - Certain criteria for charter school employees

# School Investigations



## INSIGHTS

- ❑ Relevance of prior conduct and reprimands
- ❑ Use of TEA subpoenas

# Public School Reporting Requirements

	Certified educators	Non-certified employees
Evidence that	<ul style="list-style-type: none"> <li>✓ Abused or otherwise committed an unlawful act with a student or minor</li> <li>✓ Was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor</li> </ul>	
	<ul style="list-style-type: none"> <li>✓ Possessed, transferred, sold, or distributed a controlled substance</li> <li>✓ Illegally transferred, appropriated, or expended school funds or property</li> <li>✓ Attempted by fraudulent means to obtain or alter any certificate to gain employment or additional compensation</li> <li>✓ Committed a criminal offense on school property or at a school-sponsored event</li> </ul>	

# Public School Reporting Requirements

	Certified Educators	Non-certified educators and employees
Principal requirement:	<ul style="list-style-type: none"> <li>Report to Superintendent within 7 business days if an individual was terminated or resigned following incident</li> </ul>	
Superintendent requirement:	<ul style="list-style-type: none"> <li>Report to TEA within 7 business days of learning that an individual was terminated or resigned</li> <li>By mail, fax, or internet reporting portal. Do not submit through email.</li> </ul>	



**In Statute**

Required reporting of allegations against SBEC certificate holders - TEC §21.006 / TAC §249.14, Exception to reporting requirement - TEC §21.006(b),(c), and (c-2) as amended by SB 1476, Required reporting of allegations against non-certified employees - TEC §22.093 as added by HB3, Internet portal - TEC §22.095

# Advantages of using the Misconduct Reporting Portal for Schools

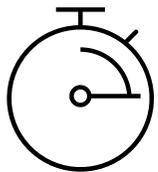


## Ease of Use

- Portal outlines the required information needed
- No need to change current structure of reports

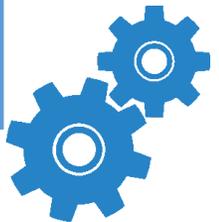


Confirmation email generated upon submission



## Cost Effective & Efficient

- Alleviates cost of postage/certified mail
- Reports received in real time by TEA Educator Investigations



# Administrator and School Responsibilities

## TEC Chap 21 and 22

Ensure employees are fingerprinted

Search Do Not Hire Registry

Investigate allegations of misconduct

Report misconduct to TEA/SBEC

## TEC Chap 38

- Child abuse reporting and programs
- Policies addressing sexual abuse
- Participate in training and prevention efforts
- Posters



# Potential Intersection

- Misconduct Investigations
- Anti-Human Trafficking Efforts



# Common Objectives

## Misconduct Investigations

## Anti-Human Trafficking Efforts

- Recognizing warning signs of a threat
- Proper reporting and investigating
- Preventing predators from gaining access
- Creating awareness

## Case example

*When educators introduce the threat*



# Behaviors and Warning Signs

**Human  
Trafficking**

Gift giving  
Exchanging texts and pictures  
Connected through social media  
Discussing personal life  
Talking about sexual activity  
Commenting about the body  
Secret relationships  
Excessive touching  
Violating directives

**Inappropriate  
Relationship  
Educator / Student**

A bright orange life preserver with three white horizontal stripes is floating on a surface of deep blue, rippling water. The life preserver is positioned on the left side of the frame, and its white rope is visible. The water's surface is textured with small waves and ripples, creating a sense of depth and movement.

# Support

- Provide training and customer support for processes involving:
  - SBEC certificate applicant fingerprinting
  - Public-school employee fingerprinting
  - Compliance with the Do Not Hire Registry (HB3)
  - TEA HR and contractor fingerprinting
- Develop resources for applicants, schools, and ESCs



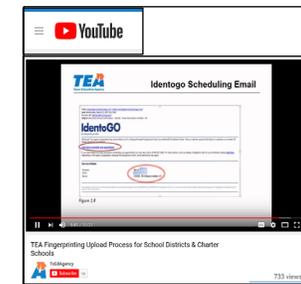
Phone Support



Website



Process Documents



Training Videos

# Educator Investigations Division

## Technical Training

- Fingerprinting
- DNHR Registry
- Reporting Portal

## Legal Requirements

- Superintendent Reporting
- Required Investigations

## Investigations

- Best Practices
- Case Studies
- Collaboration

*How else may we assist?*





# Qualtrics Survey

Thank you for joining today's presentation!

Please take the survey linked at the QR code below to provide feedback!



Please take the survey to provide feedback!