

**November 13, 2017**

**ACTION REQUIRED**

**TO THE ADMINISTRATOR ADDRESSED:**

**Subject: Pre-Employment Affidavit for Educators**

Senate Bill 7, 85th Texas Legislature, Regular Session, created a new requirement in Texas Education Code §21.009 for all applicants for educator positions at school districts, districts of innovation, open-enrollment charter schools, regional education service centers, or shared services arrangements to provide, “using a form adopted by the agency, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.”

Commissioner Mike Morath has approved employment affidavits to meet the requirements of Texas Education Code §21.009. The affidavits were developed in conjunction with the Texas Association of School Boards (TASB) and are posted on the TASB website.

To comply with Texas Education Code §21.009, please have all applicants for educator positions execute the Declaration of Applicant, available at:

[https://www.tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Personnel/documents/sample\\_pre\\_employment\\_affidavit\\_applicants.aspx](https://www.tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Personnel/documents/sample_pre_employment_affidavit_applicants.aspx).

Please have all individuals offered employment as educators sign and notarize the Affidavit of Applicant Offered Employment, available at:

[Sample Pre-Employment Affidavit for Applicant Offered Employment.](#)

Please contact your attorney if you need further information about complying with Texas Education Code §21.009.

Sincerely,

Ryan Franklin  
Associate Commissioner  
Educator Leadership and Quality