

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER A. GENERAL PROVISIONS

**TEC, §21.0062. REQUIREMENT TO REPORT MISCONDUCT: PRIVATE SCHOOLS.**

- (a) In this section:
- (1) "Abuse" has the meaning assigned by Section [261.001](#), Family Code, and includes any sexual conduct involving a student or minor and private school educator.
  - (2) "Private school educator" means a person employed by or seeking employment in a private school for a position in which the person would be required to hold a certificate issued under Subchapter B if the person were employed by a school district.
- (b) In addition to the reporting requirement under Section [261.101](#), Family Code, the chief administrative officer of a private school shall notify the State Board for Educator Certification if a private school educator:
- (1) has a criminal record and the private school obtained information about the educator's criminal record; or
  - (2) was terminated and there is evidence that the educator:
    - (A) abused or otherwise committed an unlawful act with a student or minor; or
    - (B) was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor.
- (c) If there is evidence that a private school educator may have engaged in misconduct described by Subsection (b) and the educator resigns from employment before completion of the investigation, the chief administrative officer of the private school shall submit the evidence of misconduct collected to the State Board for Educator Certification.
- (d) The chief administrative officer of the private school must notify the State Board for Educator Certification by filing a report with the board not later than the seventh business day after the date the chief administrative officer knew that a private school educator:
- (1) has a criminal record under Subsection (b)(1); or
  - (2) was terminated following an alleged incident of misconduct described by Subsection (b)(2).
- (e) The report filed under Subsection (d) must be:
- (1) in writing; and
  - (2) in a form prescribed by the board.
- (f) Any person who knows or has reason to believe that a private school educator engaged in the misconduct described by Subsection (b)(2) may file a report with the State Board for Educator Certification under this section.

- (g) A chief administrative officer of a private school or any other person who in good faith files a report with the State Board for Educator Certification under this section or communicates with a chief administrative officer or other administrator of a private school concerning the criminal record of or an alleged incident of misconduct by a private school educator is immune from civil or criminal liability that might otherwise be incurred or imposed.
- (h) The name of a student or minor who is the victim of abuse or unlawful conduct by a private school educator must be included in a report filed under this section, but the name of the student or minor is not public information under Chapter [552](#), Government Code.
- (i) The State Board for Educator Certification shall propose rules as necessary to implement this section.