

BILL ANALYSIS

Senate Research Center
88R2478 ANG-D

S.B. 1471
By: Bettencourt
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Education Agency (TEA) has access to Federal Bureau of Investigation and national crime databases through fingerprinting background checks. Public schools are required to use the TEA background checks for all employees and contractors, but private schools do not have access to them. S.B. 1471 would simply add private schools that are accredited by the Texas Private School Accreditation Commission to the list of schools that have access to and must conduct these background checks.

As proposed, S.B. 1471 amends current law relating to access by the Texas Education Agency and private schools to certain criminal history records.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.0825(b), Education Code, to require the Texas Education Agency (TEA) to subscribe to the criminal history clearinghouse and authorize it to obtain from any law enforcement or criminal justice agency all criminal history record information and all records contained in any closed criminal investigation file that relate to a specific applicant for employment or current or former employee of certain entities, including a private school that is accredited by an accrediting agency that is a member of the Texas Private School Accreditation Commission (commission).

SECTION 2. Amends Section 22.083, Education Code, by adding Subsection (b-1) to authorize a private school that is accredited by an accrediting agency that is a member of the commission to obtain the criminal history record information described by Subsection (b) (relating to authorizing a private school or regional education service center to obtain all criminal history record information that relates to certain persons) from TEA.

SECTION 3. Amends Section 411.0901(a), Government Code, to entitle TEA to obtain criminal history record information maintained by the Department of Public Safety of the State of Texas about a person who is employed or is an applicant for employment by certain entities, including a private school that is accredited by an accrediting agency that is a member of the commission. Makes a nonsubstantive change.

SECTION 4. Effective date: upon passage or September 1, 2023.