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ATTORNEYS AND COUNSELORS FOR TEXAS PUBLIC SCHOOLS AND LOCAL GOVERNMENT

June 5, 2023

RE: SB 763 – Chaplains in Schools

Dear Charter School Leaders:

On May 29, 2023, the Texas legislature passed, and sent to Governor Abbott, Senate Bill 763 allowing public schools to employ, or accept as volunteers, chaplains to provide support, services and programs for students as assigned by the School's Board of Directors effective with the 2023-2024 school year.

Such chaplains are not required to be certified by the State Board for Educator Certification. They must comply with the existing criminal background history requirements for employees and volunteers under TEC Subchapter C, Chapter 22. A school may not employ or accept as a volunteer a chaplain who is required to register as a sex offender.

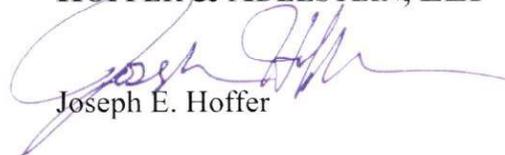
Schools may use funds allocated for use to improve school safety and security under TEC Section 48.115 to employ chaplains and develop programs provided by chaplains.

The Board of Directors of each school is required to take a record vote within six months on whether to adopt a policy authorizing a campus or school to employ or accept as a volunteer a chaplain.

There will be specific limitations and considerations for any work that is undertaken by a school chaplain. If your school is considering adopting such a policy, please reach out to our office so we can better assist with your individual needs.

Cordially,

**SCHULMAN, LOPEZ,
HOFFER & ADELSTEIN, LLP**



Joseph E. Hoffer



BOARD RESOLUTION OF
TLC Academy D/B/A
Texas Leadership Public Schools

WHEREAS, recent amendment of Section 12.1058 of the Education Code requires an open-enrollment charter school to certify in writing that no administrator, officer, or employee of the charter school and no member of the governing body of the charter school or its charter holder derives any personal financial benefit from a real estate transaction with the charter school; and

WHEREAS, the Board of Directors of **TLC Academy**, a Texas non-profit corporation and open-enrollment charter school, desires to make such certification in compliance with law and further direct the Superintendent/CEO to provide such certification in writing to any municipality or other political subdivisions within whose jurisdiction **TLC Academy** operates or intends to operate an open-enrollment charter school, and to take all other actions deemed necessary to avail the School of similar protections under the law;

NOW, THEREFORE, the Board of Directors of **TLC Academy**, at a lawfully called meeting held in compliance with the Texas Open Meetings Act, hereby adopts the following Resolutions:

BE IT HERBY RESOLVED:

That the Board of Directors certifies that no administrator, officer, or employee of [NAME OF CHARTER HOLDER] and no member of the Board of Directors derives any personal financial benefit from a real estate transaction with **TLC Academy**.

That the Superintendent/CEO of **TLC Academy**, is directed to provide notice of this certification in writing to any municipality or other political subdivision within whose jurisdiction **TLC Academy** operates or intends to operate an open-enrollment charter school, and to take all other actions deemed necessary to avail the school of similar protections under the law.

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF ON THIS, THE ___ DAY OF _____, 2023. 6/14/2023 | 12:39 PM CDT

| | |
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| Directors voting in favor of the Resolution: | |
| Charity Vasquez <i>Charity Vasquez</i> | Bobbe Ynostrosa <i>Bobbe Ynostrosa</i> |
| Ron Ledbetter <i>Ron Ledbetter</i> | Tommy Olive <i>Tommy Olive</i> |
| Walt Landers <i>Walt Landers</i> | Bruce Binkley <i>Bruce Binkley</i> |

The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on 6/14/2023 | 12:39 PM, CDT, 2023, which Resolution is in full force and effect and has not been revoked or amended.

Charity Vasquez *Charity Vasquez*

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