FFF — NOTICE TO PARENTS OF EDUCATOR OR SERVICE PROVIDER MISCONDUCT

FFF LEGAL and FFF LOCAL

Purpose	The purpose of this regulation is to establish procedures for providing timely notice to parents and guardians when required by law, including: • Allegations of misconduct by a District employee or service provider involving a student, in accordance with Texas Education Code Chapter 22A; and • Circumstances in which a District employee first suspects that a criminal offense may have been committed against a student. This notification requirement is triggered upon reasonable suspicion and does not require the District to determine that a criminal offense has occurred before providing notice.
Definitions	For purposes of this regulation, misconduct includes allegations that an employee or service provider: 1. Abused or otherwise committed an unlawful act with a student or minor, including conduct involving physical mistreatment or threats of violence not justified under law; 2. Was involved in or solicited a romantic relationship with, or solicited or engaged in sexual contact with, a student or minor; 3. Engaged in inappropriate communications with a student or minor as defined by State Board for Educator Certification (SBEC) rule; or 4. Failed to maintain appropriate professional boundaries with a student or minor as defined by SBEC rule. A service provider includes contractors, subcontractors, staffing agencies, tutors, campus operators, consultants, volunteers serving under contract, or any individual providing services to the District. For a suspected criminal offense against a student, the parent is entitled to notification no later than one school business day after the date on which a school district employee first suspects that a criminal offense has been committed against the parent's child, except as provided by Education Code 38.004 (child abuse investigations). Education Code 26.008(a)(2)
Initial District Notification and Investigation	These administrative regulations govern the District's response ***upon receiving an allegation of misconduct*** by a District employee or service provider against a student under Texas Education Code Chapter 22A or upon ***receiving notification of a suspected criminal offense*** against a student. ***Nothing in this regulation alters or replaces any individual's mandatory reporting obligations under Texas Family Code Chapter 261 or other applicable law.*** 1. Upon receiving information from any source–including a student, parent, employee, law enforcement agency, Child Protective Services, another governmental agency, or other third party–alleging misconduct by a District employee or service provider involving a student, or indicating that a

	criminal offense may have been committed against a student, the District employee receiving the information **shall** immediately notify the campus principal or supervisor. 2. The campus principal or supervisor **shall** immediately notify the Superintendent or designee. 3. The Superintendent or designee **shall** coordinate the District's response, including any required internal review, parent notification, notifications to law enforcement or Child Protective Services as appropriate, and reporting to the Texas Education Agency (TEA) or State Board for Educator Certification (SBEC), as required by law.
Parent Notification Requirements	For alleged misconduct by an employee or service provider against a student, parent notification requires: 1. The Superintendent or designee **shall** ensure notice is provided to the parent or guardian of any student with whom the alleged misconduct may have occurred. 2. Initial notice **shall** be provided ***as soon as feasible*** after the District becomes aware that alleged misconduct may have occurred. 3. Initial notice may be provided by telephone, in person, by electronic communication, or in writing. 4. Written documentation of all parent notifications **shall** be maintained by the District. For a suspected criminal offense against a student, parent notification requires: 1. Except as provided by state law regarding child abuse investigations, the District **shall** notify a parent ***not later than one business day*** after the date an employee first suspects that a criminal offense has been committed against the parent's child.
Contents of Initial Notice	The initial notice **shall** include: 1. A statement that the District has become aware of allegations involving possible misconduct by a District employee or service provider; 2. A statement that the District is taking appropriate action to address the allegation. 3. Information regarding available student support services, if applicable; and 4. Contact information for a District administrator who can answer questions regarding the process. The District **shall not** release confidential personnel information, student information, or information that could compromise an active investigation.
Follow-Up Notice	When legally permissible and after the District's investigation has concluded or employment action has occurred, the Superintendent or designee **shall** provide notice to the parent or guardian indicating:

	1. Whether the individual was terminated following an investigation of the alleged misconduct; 2. Whether the individual resigned before completion of the investigation, and 3. Whether a report was submitted to the Texas Education Agency and/or State Board for Educator Certification.
Coordination with Law Enforcement	When an allegation involves conduct that may constitute a criminal offense, the District **shall** promptly coordinate with the appropriate law enforcement agency, and any required reports **shall** be made in accordance with applicable law. When an allegation gives rise to a duty to report suspected child abuse or neglect under Texas Family Code Chapter 261, District personnel **shall** comply with all ***mandatory reporting requirements.*** Nothing in this regulation alters or replaces an individual's legal duty to report suspected abuse or neglect directly to the appropriate authorities. For purposes of the statutory law enforcement notification requirement, a school district police department is **not** considered the appropriate law enforcement agency. Notification solely to the District's police department does not satisfy applicable state law. The timing and content of parent notifications may be adjusted when necessary to avoid interfering with a criminal investigation, child abuse investigation, or as otherwise directed by law enforcement or Child Protective Services.
Confidentiality	District personnel **shall** comply with all applicable confidentiality requirements under federal and state law, including FERPA, personnel privacy laws, child abuse reporting laws, and ongoing investigative requirements.
Records Retention	The Superintendent or designee **shall** maintain documentation of: • The allegation that was received. • Required reports submitted to TEA, SBEC, law enforcement, or CPS; • Parent notification efforts and dates; • Employment actions taken; and • Final disposition of the matter.
Authority	The Superintendent may establish forms, notification templates, and administrative procedures necessary to implement this regulation and ensure compliance with Texas Education Code Chapter 22A. • Initial Parent Notification Template for Alleged Employee or Service Provider Misconduct • Follow-Up Notification Template for Alleged Employee or Service Provider Misconduct • Parent Notification Template for Suspected Criminal Offense • Documentation Form for Records Retention (including records

	retention requirements above)