



Input on SB 2392

Relating to notice requirements to local law enforcement for certain offenses occurring on school property.

April 8, 2025

The Association of Texas Professional Educators (ATPE) offers the following input on Senate Bill (SB) 2392 by Senator King:

As an organization representing educators across Texas, ATPE appreciates and supports efforts to maintain safe learning environments for all students and staff. School safety is a shared responsibility, and timely coordination with law enforcement when serious criminal conduct occurs is a vital part of that framework. However, we respectfully submit the following concerns:

We are particularly concerned that the inclusion of specific Penal Code sections—particularly those related to obscenity (e.g., Sections 43.23 through 43.262)—may unintentionally lead to overreporting of legitimate educational content or student expression. For example: works of classic or modern literature that explore themes of sexuality or violence could be mischaracterized as obscene by individuals unfamiliar with the educational purpose behind them. School events such as "Powder Puff" football games—where students often dress in non-traditional or humorous attire—could, under a misinformed interpretation, be reported as violations related to indecency or exhibitionism. We are concerned that such misreporting may not only harm the reputations of students and educators but could also stop the use of culturally significant art (like Michelangelo's David or the Venus de Milo), literature, and educational content in the classroom.

If this bill moves forward, we urge the Legislature to include language directing the Texas Education Agency or another appropriate body to provide clear guidance and training for principals and school administrators. This guidance should help distinguish between criminal conduct and constitutionally protected expression or instructional material. Without such guardrails, well-intentioned educators may feel legally obligated to overreport, potentially escalating situations that would be better addressed through existing school policies, parental communication, or administrative review.

Educators and school leaders need support, not unnecessary exposure to liability or pressure to involve law enforcement in situations that may not warrant it. While serious offenses must be reported promptly, SB 2392 may inadvertently undermine professional discretion and the nuanced judgment required to navigate complex student behavior.

The Association of Texas Professional Educators (ATPE) is the leading educator association in Texas and has been a strong voice for Texas educators since 1980. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for the more than 5 million Texas public schoolchildren. ATPE is the ally and the voice of Texas public school educators.

We appreciate the intent behind SB 2392 to ensure timely and appropriate responses to serious criminal conduct in schools. At the same time, we urge the committee to consider the potential for overreach and unintended consequences, particularly with regard to misinterpreted "obscenity" provisions. Thank you for your leadership and continued commitment to Texas educators and students. For additional information, contact ATPE Governmental Relations at (800) 777-2873 or government@atpe.org.

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