

EDUCATION CODE

TITLE 2. PUBLIC EDUCATION

SUBTITLE E. STUDENTS AND PARENTS

CHAPTER 26. PARENTAL RIGHTS AND RESPONSIBILITIES

Sec. 26.001. PURPOSE. (a) As provided under Section 151.001, Family Code, a parent has the right to direct the moral and religious training of the parent's child, make decisions concerning the child's education, and consent to medical, psychiatric, and psychological treatment of the child without obstruction or interference from this state, any political subdivision of this state, a school district or open-enrollment charter school, or any other governmental entity.

(a-1) Parents are partners with educators, administrators, and school district boards of trustees in their children's education. Parents shall be encouraged to actively participate in creating and implementing educational programs for their children.

(b) The rights listed in this chapter are not exclusive. This chapter does not limit a parent's rights under other law.

(c) Unless otherwise provided by law, a board of trustees, administrator, educator, or other person shall comply with Section 1.009 and may not limit parental rights or withhold information from a parent regarding the parent's child.

(c-1) A school district may not be considered to have withheld information from a parent regarding the parent's child if the district's actions are in accordance with other law, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

(d) Each board of trustees shall:

(1) provide for procedures to consider complaints that a parent's right has been denied;

(2) develop a plan for parental participation in the district to improve parent and teacher cooperation, including in the areas of homework, school attendance, and discipline;

(3) cooperate in the establishment of ongoing operations of at least one parent-teacher organization at each school in the district to promote parental involvement in school

activities; and

(4) provide to a parent of a child on the child's enrollment in the district for the first time and to the parent of each child enrolled in the district at the beginning of each school year information about parental rights and options, including the right to withhold consent for or exempt the parent's child from certain activities and instruction, that addresses the parent's rights and options concerning:

(A) the child's course of study and supplemental services;

(B) instructional materials and library materials;

(C) health education instruction under Section [28.004](#);

(D) instruction regarding sexual orientation and gender identity under Section [28.0043](#);

(E) school options, including virtual and remote schooling options;

(F) immunizations under Section [38.001](#);

(G) gifted and talented programs;

(H) promotion, retention, and graduation policies;

(I) grade, class rank, and attendance information;

(J) state standards and requirements;

(K) data collection practices;

(L) health care services, including notice and consent under Section [26.0083\(g\)](#);

(M) the grievance procedure under Section [26.011](#); and

(N) special education and bilingual education and special language programs.

(e) The agency shall develop a form for use by school districts in providing information about parental rights and options under Subsection (d)(4). Each school district shall post the form in a prominent location on the district's Internet website.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 11, eff. September 1, 2025.

Sec. 26.002. DEFINITION. In this chapter, "parent" includes a person standing in parental relation. The term does not include a person as to whom the parent-child relationship has been terminated or a person not entitled to possession of or access to a child under a court order. Except as provided by federal law, all rights of a parent under Title 2 of this code and all educational rights under Sections 151.001(a)(10) and (11), Family Code, shall be exercised by a student who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Chapter 31, Family Code, unless the student has been determined to be incompetent or the student's rights have been otherwise restricted by a court order.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by Acts 2001, 77th Leg., ch. 767, Sec. 10, eff. June 13, 2001.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. 1488), Sec. 6.002, eff. September 1, 2017.

Acts 2025, 89th Leg., R.S., Ch. 591 (H.B. 2495), Sec. 1, eff. September 1, 2025.

Text of section as added by Acts 2025, 89th Leg., R.S., Ch. 965

(S.B. 204), Sec. 2

For text of section as added by Acts 2025, 89th Leg., R.S., Ch. 1125

(S.B. 12), Sec. 12, see other Sec. 26.0025.

Sec. 26.0025. PARENTAL RIGHTS HANDBOOK. (a) The agency shall create and maintain a handbook that explains all rights of a parent regarding the education of the parent's child, including a student's rights that the parent may enforce on the student's behalf.

(b) The handbook must be:

(1) written in plain language;

(2) updated on an annual basis to reflect any relevant changes in applicable law or agency guidance; and

(3) made publicly available in a searchable format on the agency's Internet website.

Added by Acts 2025, 89th Leg., R.S., Ch. 965 (S.B. 204), Sec. 2, eff. September 1, 2025.

Text of section as added by Acts 2025, 89th Leg., R.S., Ch. 1125
(S.B. 12), Sec. 12

For text of section as added by Acts 2025, 89th Leg., R.S., Ch. 965
(S.B. 204), Sec. 2, see other Sec. 26.0025.

Sec. 26.0025. RIGHT TO SELECT EDUCATIONAL SETTING. A parent is entitled to choose the educational setting for the parent's child, including public school, private school, or home school.

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 12, eff. September 1, 2025.

Sec. 26.003. RIGHTS CONCERNING ACADEMIC PROGRAMS. (a) A parent is entitled to:

(1) petition the board of trustees designating the school in the district that the parent's child will attend, as provided by Section 25.033;

(2) reasonable access to the school principal, or to a designated administrator with the authority to reassign a student, to request a change in the class or teacher to which the parent's child has been assigned, if the reassignment or change would not affect the assignment or reassignment of another student;

(3) request, with the expectation that the request will not be unreasonably denied:

(A) the addition of a specific academic class in the course of study of the parent's child in keeping with the required curriculum if sufficient interest is shown in the addition of the class to make it economically practical to offer the class;

(B) that the parent's child be permitted to attend a class for credit above the child's grade level, whether in the child's school or another school, unless the board or its

designated representative expects that the child cannot perform satisfactorily in the class; or

(C) that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation; and

(4) have a child who graduates early as provided by Subdivision (3)(C) participate in graduation ceremonies at the time the child graduates.

(b) The decision of the board of trustees concerning a request described by Subsection (a)(2) or (3) is final and may not be appealed.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 26.0031. RIGHTS CONCERNING VIRTUAL AND HYBRID COURSES.

(a) At the time and in the manner that a school district or open-enrollment charter school informs students and parents about courses that are offered in the district's or school's traditional classroom setting, the district or school shall notify parents and students of the option to enroll in a virtual or hybrid course offered by the district or school in which the student is enrolled or by another district or school under Chapter 30B.

(b) Except as provided by Subsection (c), a school district or open-enrollment charter school in which a student is enrolled as a full-time student may not deny the request of a parent of a student to enroll the student in a virtual or hybrid course offered by the district or school in which the student is enrolled or by another district or school under Chapter 30B.

(b-1) A school district or open-enrollment charter school may not actively discourage a student, including by threat or intimidation, from enrolling in a virtual or hybrid course.

(c) A school district or open-enrollment charter school may deny a request to enroll a student in a virtual or hybrid course if:

(1) a student attempts to enroll in a course load that is inconsistent with the student's high school graduation plan or requirements for college admission or earning an industry certification;

(2) the student requests permission to enroll in a virtual or hybrid course at a time that is not consistent with the enrollment period established by the school district or open-enrollment charter school providing the course; or

(3) the district or school determines that the cost of the course is too high.

(c-1) A school district or open-enrollment charter school may decline to pay the cost for a student of more than three yearlong virtual courses, or the equivalent, during any school year. This subsection does not:

(1) limit the ability of the student to enroll in additional virtual courses at the student's cost; or

(2) apply to a student enrolled in a full-time virtual program.

(d) Notwithstanding Subsection (c)(2), a school district or open-enrollment charter school that provides a virtual or hybrid course under Chapter 30B shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

(e) A school district or open-enrollment charter school that denies a request to enroll a student in a virtual or hybrid course under Subsection (c) must provide a written explanation of the denial to the student and the student's parent. The written explanation must provide notice of the student's ability to appeal the decision and an explanation of the appeal process, including the process of pursuing a final appeal heard by the board of trustees of the district or the governing board of the school. A determination made by the board of trustees of the school district or the governing board of the open-enrollment charter school under this subsection is final and may not be appealed.

(f) Repealed by Acts 2025, 89th Leg., R.S., Ch. 5 (S.B. 569), Sec. 14(1), eff. May 6, 2025.

Added by Acts 2007, 80th Leg., R.S., Ch. 1337 (S.B. 1788), Sec. 2, eff. September 1, 2007.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1386 (H.B. 1926), Sec. 1, eff. June 14, 2013.

Acts 2025, 89th Leg., R.S., Ch. 5 (S.B. 569), Sec. 4, eff. May 6, 2025.

Acts 2025, 89th Leg., R.S., Ch. 5 (S.B. 569), Sec. 5, eff. May 6, 2025.

Acts 2025, 89th Leg., R.S., Ch. 5 (S.B. 569), Sec. 14(1), eff. May 6, 2025.

Sec. 26.004. ACCESS TO STUDENT RECORDS. (a) In this section, "intervention strategy" means a strategy in a multi-tiered system of supports that is above the level of intervention generally used in that system with all children. The term includes response to intervention and other early intervening strategies.

(b) A parent is entitled to access to all written records of a school district concerning the parent's child, including:

- (1) attendance records;
- (2) test scores;
- (3) grades;
- (4) disciplinary records;
- (5) counseling records;
- (6) psychological records;
- (7) applications for admission;
- (8) medical records in accordance with Section 38.0095, including health and immunization information;
- (9) teacher and school counselor evaluations;
- (10) reports of behavioral patterns;
- (11) records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child; and

Text of subdivision as added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 13

(12) records relating to library materials checked out by the child from a school library

Text of subdivision as added by Acts 2025, 89th Leg., R.S., Ch. 1126 (S.B. 13), Sec. 1

(12) records relating to school library materials the child obtains from a school library.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 443 (S.B. 715), Sec. 18, eff. June 14, 2013.

Acts 2017, 85th Leg., R.S., Ch. 735 (S.B. 1153), Sec. 2, eff. June 12, 2017.

Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 13, eff. September 1, 2025.

Acts 2025, 89th Leg., R.S., Ch. 1126 (S.B. 13), Sec. 1, eff. September 1, 2025.

Sec. 26.005. ACCESS TO STATE ASSESSMENTS AND ASSESSMENT RESULTS. (a) Except as provided by Section 39.02301(m), a parent is entitled to access to a copy of each state assessment instrument administered under Section 39.023 to the parent's child.

(b) The agency shall make available to a parent the results of each state assessment instrument administered under Section 39.023 to the parent's child. The results must be accessible by one click from the home page of an Internet website maintained by the agency. Identifying information that is necessary to access a child's results must:

- (1) meet agency security protocols;
- (2) be unique to the child; and
- (3) be under the control of the child's parent without the need to secure additional information from a third party.

(c) Each school district and open-enrollment charter school shall provide to a parent of a child enrolled at the district or school access to the Internet website described by Subsection (b) through a parent portal maintained by the district or school and notify the parent regarding that access each time the agency makes available the results of an assessment instrument administered to the parent's child.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by Acts 1997, 75th Leg., ch. 767, Sec. 7, eff. Sept. 1,

1997.

Amended by:

Acts 2025, 89th Leg., 2nd C.S., Ch. 6 (H.B. 8), Sec. 1.001, eff. December 4, 2025.

Sec. 26.006. ACCESS TO TEACHING MATERIALS. (a) A parent is entitled to:

(1) review all teaching materials, instructional materials, and other teaching aids used in the classroom of the parent's child, including while the child is participating in virtual or remote learning;

(2) review each test administered to the parent's child after the test is administered; and

(3) observe virtual instruction while the parent's child is participating in virtual or remote learning to the same extent the parent would be entitled to observe in-person instruction of the child.

(b) A school district shall make tests readily available for review by parents in person and teaching materials readily available for review by parents both in person and, if applicable, through an instructional materials parent portal established under Section 31.154. In providing access to instructional materials to a student's parent under this section, the district shall:

(1) allow access beginning not later than 30 days before the school year begins and concluding not earlier than 30 days after the school year ends; and

(2) include, for the entire period specified in Subdivision (1), access to all instructional materials that pertain to each subject area in the grade level in which the student is enrolled, except for:

(A) tests or exams that have not yet been administered to the student; and

(B) the student's graded assignments.

(b-1) The district may specify reasonable hours for in-person review.

(c) A student's parent is entitled to request that the school district or open-enrollment charter school the student

attends allow the student to take home any instructional materials used by the student. Subject to the availability of the instructional materials, the district or school shall honor the request. A student who takes home instructional materials must return the instructional materials to school at the beginning of the next school day if requested to do so by the student's teacher. A school district or open-enrollment charter school must provide the instructional materials to the student in printed format if the student does not have reliable access to technology at the student's home. In this subsection, "instructional material" has the meaning assigned by Section [31.002](#).

(d) The requirement under Subsection (c) to provide to a student instructional materials in a printed format does not require a school district or open-enrollment charter school to purchase printed copies of instructional materials that the district or school otherwise would not purchase. A district or school may comply with Subsection (c) by providing the student a printout of the relevant electronic instructional materials.

(e) Each school district and open-enrollment charter school that uses a learning management system or any online learning portal to assign, distribute, present, or make available instructional materials as defined by Section [31.002](#) to students shall provide login credentials to the system or portal to each student's parent.

(f) A school district may not deny a parent access to an instructional materials parent portal hosted under Section [31.154](#).

(g) Each school district and open-enrollment charter school shall post on the home page of the district's or school's Internet website a notice stating that a parent of a student enrolled in the district or school is entitled to review the materials described by Subsection (a)(1) and may request that the district or school make the materials available for review as provided by this section.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by Acts 2001, 77th Leg., ch. 805, Sec. 1, eff. June 14, 2001.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 12, eff.

July 19, 2011.

Acts 2019, 86th Leg., R.S., Ch. 1031 (H.B. 391), Sec. 1, eff.

June 14, 2019.

Acts 2021, 87th Leg., R.S., Ch. 558 (S.B. 348), Sec. 1, eff.

June 14, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. 3), Sec. 2, eff.

December 2, 2021.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 5, eff.

June 13, 2023.

Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 14, eff.

September 1, 2025.

Sec. 26.0061. RIGHT TO REQUEST INSTRUCTIONAL MATERIAL REVIEW. (a) The board of trustees of each school district shall establish a process by which a parent of a student, as indicated on the student registration form at the student's campus, may request an instructional material review under Section 31.0252 for a subject area in the grade level in which the student is enrolled.

(b) A process established under Subsection (a):

(1) may not require more than one parent of a student to make the request;

(2) must provide for the board of trustees of the school district to determine if the request will be granted, either originally or through an appeal process; and

(3) may permit the requesting parent to review the instructional material directly before the district conducts an instructional material review under Section 31.0252.

(c) If the parents of at least 25 percent of the students enrolled at a campus present to the board of trustees of the school district in which the campus is located a petition for the board to conduct an instructional material review under Section 31.0252, the board shall, subject to Subsection (d), conduct the review, unless the petition is presented by the parents of less than 50 percent of the students enrolled at the campus and, by a majority vote, the board denies the request. A review conducted under this subsection shall include a review of instructional materials for each subject area or grade level specified in the petition.

(d) The board of trustees of a school district is not required to conduct a review under this section for a specific subject area or grade level at a specific district campus more than once per school year.

(e) Parental access to instructional material provided by an instructional material review conducted under this section is in addition to any other right to access instructional material granted by this title or school district policy.

(f) The State Board of Education may adopt rules to implement this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 6, eff. June 13, 2023.

Sec. 26.0062. REQUIRED DISCLOSURE REGARDING INSTRUCTIONAL PLAN. (a) Each school district shall adopt a policy to make available on the district's Internet website at the beginning of each semester an instructional plan or course syllabus for each class offered in the district for that semester.

(b) The policy adopted under Subsection (a) must:

(1) require each teacher to provide before the beginning of each semester a copy of the teacher's instructional plan or course syllabus for each class for which the teacher provides instruction to:

(A) district administration; and

(B) the parent of each student enrolled in the class; and

(2) provide for additional copies of an instructional plan or course syllabus to be made available to a parent of a student enrolled in the class on the parent's request.

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 15, eff. September 1, 2025.

Sec. 26.007. ACCESS TO BOARD MEETINGS. (a) A parent is entitled to complete access to any meeting of the board of trustees of the school district, other than a closed meeting held in compliance with Subchapters D and E, Chapter 551, Government Code.

(b) A board of trustees of a school district must hold each

public meeting of the board within the boundaries of the district except as required by law or except to hold a joint meeting with another district or with another governmental entity, as defined by Section [2051.041](#), Government Code, if the boundaries of the governmental entity are in whole or in part within the boundaries of the district. All public meetings must comply with Chapter [551](#), Government Code.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.
Amended by Acts 1999, 76th Leg., ch. 1335, Sec. 7, eff. June 19, 1999.

Sec. 26.0071. PARENTAL ENGAGEMENT POLICY. Each board of trustees of a school district shall develop a parental engagement policy that:

(1) provides for an Internet portal through which parents of students enrolled in the district may submit comments to campus or district administrators and the board;

(2) requires the board to prioritize public comments by presenting those comments at the beginning of each board meeting; and

(3) requires board meetings to be held outside of typical work hours.

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. [12](#)), Sec. 15, eff. September 1, 2025.

Sec. 26.008. RIGHT TO FULL INFORMATION CONCERNING STUDENT.

(a) Except as provided by Section [38.004](#), a parent is entitled to:

(1) full information regarding the school activities of a parent's child; and

(2) notification not later than one school business day after the date a school district employee first suspects that a criminal offense has been committed against the parent's child.

(b) An attempt by any school district employee to encourage or coerce a child to withhold information from the child's parent is grounds for discipline under Section [21.104](#), [21.156](#), or [21.211](#), as applicable, or by the State Board for Educator Certification, if applicable.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 16, eff. September 1, 2025.

Sec. 26.0081. RIGHT TO INFORMATION CONCERNING SPECIAL EDUCATION AND EDUCATION OF STUDENTS WITH LEARNING DIFFICULTIES.

(a) The agency shall produce and provide to school districts sufficient copies of a comprehensive, easily understood document that explains the process by which an individualized education program is developed for a student in a special education program and the rights and responsibilities of a parent concerning the process. The document must include information a parent needs to effectively participate in an admission, review, and dismissal committee meeting for the parent's child.

(b) The agency will ensure that each school district provides the document required under this section to the parent as provided by 20 U.S.C. Section 1415(b):

(1) as soon as practicable after a child is referred to determine the child's eligibility for admission into the district's special education program, but at least five school days before the date of the initial meeting of the admission, review, and dismissal committee; and

(2) at any other time on reasonable request of the child's parent.

(c) The agency shall produce and provide to school districts a written explanation of the options and requirements for providing assistance to students who have learning difficulties or who need or may need special education. The explanation must state that a parent is entitled at any time to request an evaluation of the parent's child for special education services under Section 29.004 or for aids, accommodations, or services under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794). Each school year, each district shall provide the written explanation to a parent of each district student by including the explanation in the student handbook or by another means.

(d) Each school year, each school district shall notify a

parent of each child, other than a child enrolled in a special education program under Subchapter A, Chapter 29, who receives assistance from the district for learning difficulties, including through the use of intervention strategies, as that term is defined by Section 26.004, that the district provides that assistance to the child. The notice must:

(1) be provided when the child begins to receive the assistance for that school year;

(2) be written in English or, to the extent practicable, the parent's native language; and

(3) include:

(A) a reasonable description of the assistance that may be provided to the child, including any intervention strategies that may be used;

(B) information collected regarding any intervention in the base tier of a multi-tiered system of supports that has previously been used with the child;

(C) an estimate of the duration for which the assistance, including through the use of intervention strategies, will be provided;

(D) the estimated time frames within which a report on the child's progress with the assistance, including any intervention strategies used, will be provided to the parent; and

(E) a copy of the explanation provided under Subsection (c).

(e) The notice required under Subsection (d) may be provided to a child's parent at a meeting of the team established for the child under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), if applicable.

Added by Acts 1999, 76th Leg., ch. 616, Sec. 1, eff. Sept. 1, 1999.

Amended by Acts 2003, 78th Leg., ch. 539, Sec. 1, 2, eff. Sept. 1, 2003.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 735 (S.B. 1153), Sec. 3, eff. June 12, 2017.

Sec. 26.0082. SUPPLEMENTAL EDUCATIONAL SERVICES. (a) In

this section, "rigorous research" means research that includes:

- (1) a study design that employs either a randomized controlled trial or a quasi-experimental design;
- (2) an adequate measure of outcomes; and
- (3) reliable and valid results.

(b) As part of the annual notice a school district provides to parents under 20 U.S.C. Section 6316(e)(2)(A) concerning supplemental educational services, the district shall include information provided to the district by the agency that:

- (1) identifies characteristics of supplemental educational services that, based on rigorous research, have been demonstrated to be more likely to foster improvement in student academic performance, including information concerning the minimum number of hours of tutoring necessary for improved performance; and
- (2) sorts, for each subject for which supplemental educational services are provided, supplemental educational services providers serving district students according to the provider's level of effectiveness in improving student performance in the applicable subject area.

(c) The agency shall develop and the commissioner by rule shall establish a process for approving and revoking approval for a supplemental educational services provider. The process must allow the agency to use any publicly available information from any published source in determining whether to approve an entity as a provider, except that the agency may not use information that is self-published or published by a provider for marketing purposes.

(d) The agency shall maintain a publicly available list of approved providers. In accordance with standards established by commissioner rule, the agency shall promptly investigate a complaint against an approved provider and promptly remove from the list of approved providers a provider for which agency approval has been revoked.

(e) Not later than the fifth business day after the date on which the agency removes a provider from the list of approved providers, the agency shall send notice of the removal to each appropriate school district. The district shall provide notice of the removal to parents of appropriate students.

(f) A supplemental educational services provider for which agency approval has been revoked because the agency determines that the provider has engaged in fraudulent activity is permanently prohibited from acting as a provider in this state.

Added by Acts 2013, 83rd Leg., R.S., Ch. 646 (H.B. 753), Sec. 1, eff. September 1, 2013.

For expiration of Subsections (j) and (k), see Subsection (k).

Sec. 26.0083. RIGHT TO INFORMATION REGARDING MENTAL, EMOTIONAL, AND PHYSICAL HEALTH AND HEALTH-RELATED SERVICES.

(a) The agency shall adopt a procedure for school districts to notify the parent of a student enrolled in the district regarding any change in services provided to or monitoring of the student related to the student's mental, emotional, or physical health or well-being.

(b) A procedure adopted under Subsection (a) must reinforce the fundamental right of a parent to make decisions regarding the upbringing and control of the parent's child by requiring school district personnel to:

(1) encourage a student to discuss issues relating to the student's well-being with the student's parent; or

(2) facilitate a discussion described under Subdivision (1).

(c) A school district may not adopt a procedure that:

(1) prohibits a district employee from notifying the parent of a student regarding:

(A) information about the student's mental, emotional, or physical health or well-being; or

(B) a change in services provided to or monitoring of the student related to the student's mental, emotional, or physical health or well-being;

(2) encourages or has the effect of encouraging a student to withhold from the student's parent information described by Subdivision (1)(A); or

(3) prevents a parent from accessing education or health records concerning the parent's child.

(d) Subsections (a) and (c) do not require the disclosure of

information to a parent if a reasonably prudent person would believe the disclosure is likely to result in the student suffering abuse or neglect, as those terms are defined by Section 261.001, Family Code.

(e) A school district employee may not discourage or prohibit parental knowledge of or involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being.

(f) Any student support services training developed or provided by a school district to district employees must comply with any student services guidelines, standards, and frameworks established by the State Board of Education and the agency.

(g) Before the first instructional day of each school year, a school district shall provide to the parent of each student enrolled in the district written notice of each health-related service offered at the district campus the student attends. The notice must include a statement of the parent's right to withhold consent for or decline a health-related service. A parent's consent to a health-related service does not waive a requirement of Subsection (a), (c), or (e).

(h) Before administering a student well-being questionnaire or health screening form to a student enrolled in prekindergarten through 12th grade, a school district must provide a copy of the questionnaire or form to the student's parent and obtain the parent's consent to administer the questionnaire or form in the manner provided by Section 26.009(a-2).

(i) This section may not be construed to:

(1) limit or alter the requirements of Section 38.004 of this code or Chapter 261, Family Code; or

(2) limit a school district employee's ability to inquire about a student's daily well-being without parental consent.

(j) Not later than June 30, 2026, the agency, the State Board of Education, and the State Board for Educator Certification, as appropriate, shall review and revise as necessary the following to ensure compliance with this section:

(1) school counseling frameworks and standards;

(2) educator practices and professional conduct principles; and

(3) any other student services personnel guidelines, standards, or frameworks.

(k) Subsection (j) and this subsection expire September 1, 2027.

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 17, eff. September 1, 2025.

Sec. 26.0085. REQUESTS FOR PUBLIC INFORMATION. (a) A school district or open-enrollment charter school that seeks to withhold information from a parent who has requested public information relating to the parent's child under Chapter 552, Government Code, and that files suit as described by Section 552.324, Government Code, to challenge a decision by the attorney general issued under Subchapter G, Chapter 552, Government Code, must bring the suit not later than the 30th calendar day after the date the school district or open-enrollment charter school receives the decision of the attorney general being challenged.

(b) A court shall grant a suit described by Subsection (a) precedence over other pending matters to ensure prompt resolution of the subject matter of the suit.

(c) Notwithstanding any other law, a school district or open-enrollment charter school may not appeal the decision of a court in a suit filed under Subsection (a). This subsection does not affect the right of a parent to appeal the decision.

(d) If the school district or open-enrollment charter school does not bring suit within the period established by Subsection (a), the school district or open-enrollment charter school shall comply with the decision of the attorney general.

(e) A school district or open-enrollment charter school that receives a request from a parent for public information relating to the parent's child shall comply with Chapter 552, Government Code. If an earlier deadline for bringing suit is established under Chapter 552, Government Code, Subsection (a) does not apply. This section does not affect the earlier deadline for purposes of Section 532.353(b)(3) for a suit brought by an officer

for public information.

Added by Acts 1999, 76th Leg., ch. 1335, Sec. 8, eff. June 19, 1999.

Sec. 26.009. CONSENT REQUIRED FOR CERTAIN ACTIVITIES.

(a) An employee or contractor of a school district must obtain the written consent of a child's parent in the manner required by Subsection (a-2) before the employee or contractor may:

(1) conduct a psychological or psychiatric examination or test, or psychological or psychiatric treatment, unless the examination, test, or treatment is required under Section 38.004 or state or federal law regarding requirements for special education;

(2) subject to Subsection (b), make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice;

(3) unless authorized by other law:

(A) disclose a child's health or medical information to any person other than the child's parent; or

(B) collect, use, store, or disclose to any person other than the child's parent a child's biometric identifiers; or

(4) subject to Subsection (a-3), provide health care services or medication or conduct a medical procedure.

(a-1) For purposes of Subsection (a):

(1) "Biometric identifier" means a blood sample, hair sample, skin sample, DNA sample, body scan, retina or iris scan, fingerprint, voiceprint, or record of hand or face geometry.

(2) "Psychological or psychiatric examination or test" means a method designed to elicit information regarding an attitude, habit, trait, opinion, belief, feeling, or mental disorder or a condition thought to lead to a mental disorder, regardless of the manner in which the method is presented or characterized, including a method that is presented or characterized as a survey, check-in, or screening or is embedded in an academic lesson.

(3) "Psychological or psychiatric treatment" means the planned, systematic use of a method or technique that is

designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

(a-2) Written consent for a parent's child to participate in a district activity described by Subsection (a) must be signed by the parent and returned to the district. A child may not participate in the activity unless the district receives the parent's signed written consent to that activity.

(a-3) For the purpose of obtaining written consent for actions described by Subsection (a)(4) that are determined by a school district to be routine care provided by a person who is authorized by the district to provide physical or mental health-related services, the district may obtain consent at the beginning of the school year or at the time of the child's enrollment in the district. Unless otherwise provided by a child's parent, written consent obtained in accordance with this subsection is effective until the end of the school year in which the consent was obtained.

(b) An employee or contractor of a school district is not required to obtain the consent of a child's parent before the employee or contractor may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used only for:

(1) purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses;

(2) a purpose related to a cocurricular or extracurricular activity;

(3) a purpose related to regular classroom instruction;

(4) media coverage of the school; or

(5) a purpose related to the promotion of student safety under Section [29.022](#).

(c) Before the first instructional day of each school year, a school district shall provide to the parent of each student enrolled in the district written notice of any actions the district may take involving the authorized collection, use, or storage of information as described by Subsection (a)(3). The notice must:

(1) include a plain language explanation for the district's collection, use, or storage of the child's information and the district's legal authority to engage in that collection, use, or storage; and

(2) be signed by the parent and returned to the district.

(d) A school district shall take disciplinary action against an employee responsible for allowing a child to participate in an activity described by Subsection (a)(4) if the district did not obtain a parent's consent for the child's participation in that activity.

(e) A school district shall retain the written informed consent of a child's parent obtained under this section as part of the child's education records.

(f) Nothing in this section may be construed to:

(1) require an employee or contractor of a school district to obtain the written consent of a child's parent before verbally asking the child about the child's general well-being; or

(2) affect the duty to report child abuse or neglect under Chapter 261, Family Code, or an investigation of a report of abuse or neglect under that chapter.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by Acts 1997, 75th Leg., ch. 1175, Sec. 1, eff. Sept. 1, 1997.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1147 (S.B. 507), Sec. 1, eff. June 19, 2015.

Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 18, eff. September 1, 2025.

Sec. 26.0091. REFUSAL OF PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF CHILD AS BASIS OF REPORT OF NEGLECT. (a) In this section, "psychotropic drug" has the meaning assigned by Section 261.111, Family Code.

(b) An employee of a school district may not use or threaten to use the refusal of a parent, guardian, or managing or possessory conservator of a child to administer or consent to the

administration of a psychotropic drug to the child, or to consent to any other psychiatric or psychological testing or treatment of the child, as the sole basis for making a report of neglect of the child under Subchapter B, Chapter 261, Family Code, unless the employee has cause to believe that the refusal:

(1) presents a substantial risk of death, disfigurement, or bodily injury to the child; or

(2) has resulted in an observable and material impairment to the growth, development, or functioning of the child.
Added by Acts 2003, 78th Leg., ch. 1008, Sec. 1, eff. June 20, 2003.

Sec. 26.010. EXEMPTION FROM INSTRUCTION. (a) A parent is entitled to remove the parent's child temporarily from a class or other school activity that conflicts with the parent's religious or moral beliefs if the parent presents or delivers to the teacher of the parent's child a written statement authorizing the removal of the child from the class or other school activity. A parent is not entitled to remove the parent's child from a class or other school activity to avoid a test or to prevent the child from taking a subject for an entire semester.

(b) This section does not exempt a child from satisfying grade level or graduation requirements in a manner acceptable to the school district and the agency.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 26.011. GRIEVANCES. (a) The board of trustees of each school district shall adopt a grievance procedure that complies with Chapter 26A under which the board shall address each grievance that the board receives concerning violation of a right guaranteed by this chapter, of a board of trustees policy, or of a provision of this title.

(b) The board of trustees of a school district is not required by Subsection (a) or Section 11.1511(b)(13) to address a grievance that the board receives concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by this chapter, of a board of trustees policy, or of a provision of this title. This subsection

does not affect a claim brought by a parent under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or a successor federal statute addressing special education services for a child with a disability.

(c) A grievance procedure adopted under Subsection (a) must require that, for a complaint filed against a teacher or other employee, the school district provide:

(1) notice of the complaint to the teacher or employee against whom the complaint was filed; and

(2) sufficient opportunity for the teacher or employee against whom the complaint was filed to submit a written response to the complaint to be included in the record.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 925 (S.B. 1566), Sec. 9, eff. September 1, 2017.

Acts 2025, 89th Leg., R.S., Ch. 1065 (H.B. 2), Sec. 3.09, eff. June 20, 2025.

Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 19, eff. September 1, 2025.

Sec. 26.012. FEE FOR COPIES. The agency or a school district may charge a reasonable fee in accordance with Subchapter F, Chapter 552, Government Code, for copies of materials provided to a parent under this chapter.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 26.0125. PARENT CONTACT INFORMATION REQUIRED. The parent of a student enrolled in a school district shall provide in writing to the district:

(1) on enrollment of the student in the district and not later than two weeks after the beginning of each school year, the parent's address, phone number, and e-mail address; and

(2) if the parent's contact information changes during the school year, not later than two weeks after the date the information changes, the parent's updated information.

Added by Acts 2021, 87th Leg., R.S., Ch. 581 (S.B. 746), Sec. 1,

eff. June 14, 2021.

Sec. 26.013. STUDENT DIRECTORY INFORMATION. (a) A school district shall provide to the parent of each district student at the beginning of each school year or on enrollment of the student after the beginning of a school year:

(1) a written explanation of the provisions of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), regarding the release of directory information about the student; and

(2) written notice of the right of the parent to object to the release of directory information about the student under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

(b) The notice required by Subsection (a)(2) must contain:

(1) the following statement in boldface type that is 14-point or larger:

"Certain information about district students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want [insert name of school district] to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by [insert date]. [Insert name of school district] has designated the following information as directory information: [Here a school district must include any directory information it chooses to designate as directory information for the district, such as a student's name, address, telephone listing, electronic mail address, photograph, degrees, honors and awards received, date and place of birth, major field of study, dates of attendance, grade level, most recent educational institution attended, and participation in officially recognized activities and sports, and

the weight and height of members of athletic teams.]";

(2) a form, such as a check-off list or similar mechanism, that:

(A) immediately follows, on the same page or the next page, the statement required under Subdivision (1); and

(B) allows a parent to record:

(i) the parent's objection to the release of all directory information or one or more specific categories of directory information if district policy permits the parent to object to one or more specific categories of directory information;

(ii) the parent's objection to the release of a secondary student's name, address, and telephone number to a military recruiter or institution of higher education; and

(iii) the parent's consent to the release of one or more specific categories of directory information for a limited school-sponsored purpose if such purpose has been designated by the district and is specifically identified, such as for a student directory, student yearbook, or district publication; and

(3) a statement that federal law requires districts receiving assistance under the Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.) to provide a military recruiter or an institution of higher education, on request, with the name, address, and telephone number of a secondary student unless the parent has advised the district that the parent does not want the student's information disclosed without the parent's prior written consent.

(c) A school district may designate as directory information any or all information defined as directory information by the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g). Directory information under that Act that is not designated by a district as directory information for that district is excepted from disclosure by the district under Chapter 552, Government Code.

(d) Directory information consented to by a parent for use only for a limited school-sponsored purpose, such as for a student directory, student yearbook, or school district publication, if any

such purpose has been designated by the district, remains otherwise confidential and may not be released under Chapter 552, Government Code.

Added by Acts 2005, 79th Leg., Ch. 687 (S.B. 256), Sec. 1, eff. June 17, 2005.

Sec. 26.015. POSTING OF INFORMATION REGARDING ADMINISTRATOR RESPONSIBLE FOR STUDENT DISCIPLINE. A school district shall post on the district's Internet website, for each district campus, the e-mail address and dedicated telephone number of a person clearly identified as:

(1) the campus behavior coordinator designated under Section 37.0012; or

(2) if the district has been designated as a district of innovation under Chapter 12A and is exempt from the requirement to designate a campus behavior coordinator under Section 37.0012 under the district's local innovation plan, a campus administrator designated as being responsible for student discipline.

Added by Acts 2019, 86th Leg., R.S., Ch. 265 (S.B. 1306), Sec. 1, eff. May 28, 2019.