

By: Troxclair

H.B. No. 4055

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring school districts to adopt procedures to
3 ensure parents are informed regarding a student's mental,
4 emotional, or physical health or well-being.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 26, Education Code, is amended by adding
7 Subsection 26.0083 to read as follows

8 Sec. 26.0083. DISTRICT POLICY REGARDING NOTICE TO PARENTS.

9 (a) Each school district shall adopt procedures for notifying a
10 student's parent if there is a change in the student's services or
11 monitoring related to the student's mental, emotional, or physical
12 health or well-being and the school's ability to provide a safe and
13 supportive learning environment for the student. The procedures
14 must reinforce the fundamental right of parents to make decisions
15 regarding the upbringing and control of their children by requiring
16 school district personnel to encourage a student to discuss issues
17 relating to his or her well-being with his or her parent or to
18 facilitate discussion of the issue with the parent. The procedures
19 may not prohibit parents from accessing any of their student's
20 education and health records created, maintained, or used by the
21 school district.

22 (b) Except to the extent consistent with Section 38.004, a
23 school district may not adopt procedures that prohibit school
24 district personnel from notifying a parent about a student's

1 mental, emotional, or physical health or well-being, or a change in
2 related services or monitoring, or that encourage or have the
3 effect of encouraging a student to withhold from a parent such
4 information.

5 (c) Except to the extent consistent with Section 38.004 and
6 the school district's policy, School district personnel may not
7 discourage or prohibit parental notification of and involvement in
8 critical decisions affecting a student's mental, emotional, or
9 physical health or well-being.

10 SECTION 2. This Act takes effect September 1, 2023.