

By: Zedler

H.B. No. 3362

A BILL TO BE ENTITLED

AN ACT

relating to parental rights in public education.

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

SECTION 1. Section 26.001, Education Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) Parents are full 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.

(f) Each school district shall include in the district's student handbook:

(1) a statement of the district's grievance procedure under Section 26.011; and

(2) a copy or summary of the provisions of this chapter relating to parental rights.

SECTION 2. Section 26.006, Education Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) A parent is entitled to:

(1) review all teaching materials, textbooks, and other teaching aids used in the classroom of the parent's child;

~~and~~

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

3 (3) observe any class or activity in which the parent's
4 child participates.

5 (d) A parent who wishes to observe a class or activity under
6 Subsection (a)(3) must obtain permission from the educator who is
7 responsible for the class or activity before the parent may observe
8 the class or activity. An educator may not unreasonably deny a
9 parent the opportunity to observe a class or activity.

10 SECTION 3. Section 26.009, Education Code, is amended by
11 amending Subsection (a) and adding Subsection (c) to read as
12 follows:

13 (a) An employee of a school district must obtain the written
14 consent of a child's parent before the employee may:

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

19 (2) make or authorize the making of a videotape of a
20 child or record or authorize the recording of a child's voice; or

21 (3) conduct market research to gather information from
22 the student that:

23 (A) relates to the student's family or friends;

24 or

25 (B) is of a personal or sexual nature.

26 (c) When seeking parental consent, a school district's
27 letter to a parent must be clear and specific and include:

1 (1) the purpose of any test, activity, or service that
2 is the subject of the letter; and

3 (2) the scope of the consent being requested.

4 SECTION 4. Section 26.011, Education Code, is amended to
5 read as follows:

6 Sec. 26.011. COMPLAINTS. The board of trustees of each
7 school district shall adopt a grievance procedure under which the
8 board shall address each complaint that the board receives
9 concerning violation of a right guaranteed by this chapter. The
10 board shall ensure that information concerning the grievance
11 procedure, including any deadlines under the procedure, is readily
12 available to parents.

13 SECTION 5. This Act applies beginning with the 2007-2008
14 school year.

15 SECTION 6. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2007.