

By: Olivo

H.B. No. 2146

A BILL TO BE ENTITLED

AN ACT

relating to a parent's right to obtain a copy of the public school records of the parent's child.

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

SECTION 1. Section 26.004, Education Code, is amended to read as follows:

Sec. 26.004. ACCESS TO STUDENT RECORDS. (a) 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) health and immunization information;
- (9) teacher and counselor evaluations; and
- (10) reports of behavioral patterns.

(b) A parent may make an oral or written request to obtain a copy of a school district's records concerning the parent's child, as described by Subsection (a). The district must comply with a parent's request not later than the third school day after the date the district receives the request. If a child is facing suspension,

1 removal, or expulsion from school, the district must comply with
2 the parent's request immediately. To the extent this subsection
3 conflicts with Chapter 552, Government Code, this subsection
4 prevails.

5 (c) Notwithstanding Section 26.012, a school district shall
6 provide a copy of student records requested under Subsection (b)
7 free of charge or at a cost not to exceed \$2 if the student is
8 educationally disadvantaged.

9 SECTION 2. This Act applies beginning with the 2009-2010
10 school year.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2009.