

By: Sheffield

H.B. No. 2704

A BILL TO BE ENTITLED

AN ACT

relating to a parent's right to object to physical fitness assessment of the parent's child by a school district.

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

SECTION 1. Section 38.101, Education Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (b) or (c), a school district annually shall assess the physical fitness of students enrolled in grades 3 through 12.

(c) A school district may not assess a student if the student's parent notifies the district in writing that the parent objects to the assessment. A school district shall inform parents of the right to object under this subsection and provide parents with a reasonable opportunity to notify the district of an objection. In this subsection, "parent" includes a person standing in parental relation.

SECTION 2. This Act applies beginning with the 2011-2012 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.