

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Public Education
For HB 1149

Compiled on: Wednesday, April 19, 2023 1:06 AM

Note: Comments received by the committee reflect only the view of the individual(s) submitting the comment, who retain sole responsibility for the content of the comment. Neither the committee nor the Texas House of Representatives takes a position on the views expressed in any comment. The committee compiles the comments received for informational purposes only and does not exercise any editorial control over comments.

Hearing Date: April 18, 2023 8:00 AM

Alan Higginbotham

Self

Reklaw, TX

I strongly support this bill. It needs to pass

Sophia Tani, Dr.

Self, Board Certified Clinical Child and Adolescent Psychologist (ABPP) and Nationally Certified School Psychologist (NCSP)
College Station, TX

I am concerned that the description of psychological services is overly broad and, because of the way it is written, the bill may impede the ability to provide timely services for a student in crisis or in an acute situation.

Marisa Williams

Self/SAHM

McKinney, TX

I support HB 1149. One of the things parents want is clear communication and the ability to participate in their child's education. One of the things teachers and school staff want is to be trusted. This bill clarified how surveys are to be labeled checking off both boxes. Please vote for HB 1149 quickly so it can go to calendars. Thank you.

Mark Russell

Self

Houston, TX

I am writing to register my support for HB 1149. I strongly support HB 1149 because it will require parental consent in order for psychological or psychiatric examination, testing, or treatment to be conducted on children by a school district employee. Such examination, testing, or treatment should never be conducted without parental consent.

Thank you.

Jena Russell, Dr.

Self

Houston, TX

I am writing to register my support for HB 1149. I support HB 1149 because it will require parental consent in order for psychological or psychiatric examination, testing, or treatment to be conducted on children by a school district employee. Such examination, testing, or treatment should never be conducted without parental consent.

Thank you.

Robert Hayhurst

Self

Canyon, TX

Public schools have NO right to probe attitudes, habits, traits, opinions, beliefs or feelings of students using any form of survey, app, "check-in," "well-being check" or any other form of psychological examination as defined in 34CFR 98.4(c). Parents, not the state, have the right to give or withhold consent for psychological examinations, testing, and treatment, including intrusive surveys. This bill is good but should be amended to require written informed consent from parents for each occurrence and the consent request should specify the item and purpose for which the consent is required. Also, because of the effort to connect schools to mental health providers, this bill should extend to mental health providers and contractors, including on-line and tele-health services, and counseling, referrals for counseling, and testing. When consent is given, parents must receive results, diagnosis, etc., and the resultant data must not be shared or sold. Ownership of the data should be in the parent, not the school.

Amanda Kelley

SELF

Temple, TX

I support this bill adding the requirement for school districts to obtain parental consent for psychological or psychiatric examination, testing, or treatment conducted by a school district employee.

Parents send their children to school to be educated. A child should never be asked to answer questions and submit information for things such as well-checks or any other form of intrusive surveys or apps that ask the child to check in, provide well-being checks, or similar intrusive and unwanted inquiries about a child's attitudes, habits, traits, opinions, beliefs, or feelings for the purpose of treatment and data collection.

School teachers and other school staff should not be providing mental health treatment to children whose parents are not aware nor did they sign up or request such therapy for their child. Fully informing parents and asking for their written permission is the only acceptable solution. Most parents have no idea that their children have been receiving social-emotional therapy time during their daily class time until now – and so many still have no clue. This is beyond intrusive and has done damage to children I know. Mental health therapies are not up to school district staff, and they are not a game to play with children for 15 mins a day, especially with children who have past traumas that could be brought up during those sessions. I know of a child that exact situation happened to, and it is heartbreaking to expect that child to move on to their daily math or science after reliving prior trauma because school districts have decided they want to provide mental health therapies without fully informed parental consent.

I hope this bill passes so that the schools are required to seek written and informed parental consent before providing examination testing or treatment on any child from now on. I pulled my children to prevent them from being provided mental health therapy by an unlicensed and untrained schoolteacher instead of focusing on their academic studies such as math and reading.

I want to add that it is egregious that this must be made into a bill - informed consent should have been a requirement from the very start and it is a part of the code of ethics for mental health providers, how school districts have been able to evade this is infuriating to me as a mom of two children.

The American Psychological Association's (APA) Ethical Principles of Psychologists and Code of Conduct states: "Psychologists inform clients/patients as early as is feasible in the therapeutic relationship about the nature and anticipated course of therapy, fees, involvement of third parties, and limits of confidentiality and provide sufficient opportunity for the client/patient to ask questions and receive answers" (Ethical Principles of Psychologists and Code of Conduct, 2017).

Ethical principles of psychologists and code of conduct. (2017). <https://www.apa.org>. <https://www.apa.org/ethics/code?item=13#1001>

Selina Martin

Self

Allen, TX

I want to express my strong support for HB1149. I would have been glad to testify at the hearing if it had been possible. I feel the bill was written for me. When I registered my 6-yo daughter for school this year, I very clearly opted out of psychological screenings and many others that I feel are sensitive and personal family business. Unfortunately, my 6-yo daughter was subjected without my knowledge or consent to an app called Rhithm. This app is an emoji-based assessment of mental, energy, emotional, physical and social domains. It then provides activities or actions to address what it finds. When I asked about Rhithm and opting out, they communicated that they had never sent opt out forms and didn't know how to opt a child out. At the time my 6 yo was subjected to this app, Rhithm's website had short videos on their website telling teachers and administrators that the app was a biopsychosocial assessment. The parent video did not include this statement. They have since taken down the videos. Rhithm has a video on YouTube stating that using their product (getting into rhithm) "re-wires the brain."

According to their website, "Licensed clinicians design Rhithm activities and lesson videos to give Rhithm users access to the same skills, interventions, and knowledge that one would discover in individual therapy or coaching." Given that they said this app is a biopsychosocial assessment, that it re-wires the brain and that it give users (students) access to the same skills and interventions one would expect from individual therapy, I would have expected that parents would have to be informed about the app, then opt their child in if they wanted these interventions. Instead, the school district said, "Furthermore, on September 6, 2022, our records indicate that you acknowledged the district's Responsible Use Policy. The district's RUP states "by signing this document you grant Allen ISD permission to create student accounts for your student (Microsoft Office 365 for Education, Google Workspace, and other various educational applications approved by Allen ISD)."Therefore, Allen ISD received permission from you to create student account applications approved by the district, which includes Rhithm. Therefore, I trust your concern has been remedied." The Responsible Use Policy has to do with the district's devices and EDUCATIONAL apps. I did not consent to have my child use a mental health app. I did not consent for my child to undergo a biopsychosocial assessment or have her brain "re-wired." Since I care about who else's children are being subjected to this with little parental knowledge and without specific parental consent, my concerns have absolutely not been remedied. I feel HB1149 addresses the problem by providing a clear definition of psychiatric or psychological examination, testing and treatment, and requires OPT-IN consent. Thank you Rep Swanson for filing this bill. I urge the members of this committee to pass it.

Thank you, Selina Marti

Marisa Williams

Self/SAHM

McKinney, TX

As a mom and retired teacher I support HB 1149. Parents must give full consent to any and all Psychiatric evaluations, surveys, prompts and treatments before they are administered. It's the school's role to educate the children. It's the parents' role to nurture them and ensure they have proper medical care. Please vote to support HB 1149. Thank you.

JoAnn McCracken

Myself/ retired

Houston, TX

I strongly support this bill. As a parent and grandparent, I do not believe that any person or entity should give permission for any kind of test on a minor other than those that are related. Parents and grandparents are the primary caretakers. It is their right to give permission for any type of examination, physical or mental of minors.

Kelley Rumps

self/retired

The Woodlands, TX

I support this bill.

Linda Thetford

Self

Clifton, TX

Please support HB1149. Thank you

Donna Collins

self

Fort Worth, TX

Please know that I strongly support HB 1149; Parental rights are an important issue that is being eroded by schools and the like;

Tom Holman, Citizen

Self

Austin, TX

Our educational system was never intended to provide any services other than providing and education. It is unclear to me why school systems even have psychologist and such staff. If a student appears to be in danger in the home the appropriate action is to notify the proper authorities. Otherwise, the proper action is to notify the parents and recommend they seek counseling from the professional of their choosing not from the school.

I would modify this bill eliminating psychological type care in the school system altogether. I support the passage of this bill.

Jean Davis

Self

Fort worth, TX

I STRONGLY support REQUIRING parental consent for any personal testing or treatment administered by a government employee!!!

Dan O'Loughlin, Ph.D., Licensed Psychologist (child & adolescent specialt

Self - Licensed Psychologist

Fredericksburg, TX

My name is Dr. Dan O'Loughlin and I am a Texas licensed psychologist. For over 32 years I have been in private practice in Fredericksburg providing psychological services to children, teenagers, and their parents. In order to be effective in serving children and adolescents, I first have to develop and maintain a trusting relationship with their parents. I understand the value of open, honesty, truthful, and respectful communication with parents and how it fosters a positive, working relationship that opens the door for me to provides services to their child or adolescent. On the other hand, I also have experiences from time to time the negative consequences of not having engaged parent's trust due to inadequate disclosure or insufficient information shared with them. All said, I know that building a collaborative, trusting relationship with parents is essential to our success. One procedural requirement in the practice of psychological assessment and treatment of minor youth is called Informed Parental Consent. It involves providing parents sufficient information of the scope and intent of psychological assessment or treatment services so as to ensure they are knowledgeable and in agreement from the outset. Written, informed parental consent is a necessary and beneficial safeguard for everyone. It documents I have explained my services, the parents are in agreement, and that a youth and his or her parent's legal rights are secure.

Today, I share my strong support for HB 1149, which relates to requiring parental consent for psychological or psychiatric examination, testing or treatment conducted by a school district employee. Informed parental consent guarantees parental rights to understand the scope and intent of any and all psychological procedures involving their child in the school setting and it protects their (and the youth's) rights to accept or reject these services. As school districts implement TEA student mental health, school safety & supportive services and the whole child education model, I am concerned that the most important people in a child's life, his or her parents, will be either under-informed or excluded from the process. To date, my experience tells me parents have been informed adequately of psychological services provided through school special education departments, which may be due to the presence of licensed specialist in school psychologist who understand and must legally comply with professional practice guidelines for Informed Parental Consent. However, this is likely to change as psychological services are expanded to the general student population through the Multi-Tiered System of Support framework and as other public school personnel participate in universal, tier one practices. Informed Parental Consent is a standard of care for minors that should not be sacrificed for the sake of convenience or expediency on the part of school districts or their employees.

Mary Smith, Ms

Reteired/self

Arlington, TX

I support this bill. The emphasis this year has been and should be parental rights. Any psychological testing by school district employees should be based on parental consent. How dare a district say they have more rights than anyone else, especially parents. I urge to pass this bill and get it out of committee.

MONTIE SHELTON

none

Huntsville, TX

I oppose HB1149. NOTHING of a psychological, psychiatric or medical nature should be done in school! How about teaching the 3 R's and demanding that children behave themselves in a courteous and modest manner? Wouldn't that be a nice change! How about outlawing cell phones in school? Children NEED boundaries, high expectations and discipline.

Vicky Little

Dallas Eagle Forum

Dallas, TX

I strongly support HB 1149. Thank you for doing the same.

Cindy Asmussen
Southern Baptists of Texas Convention
Austin, TX

We strongly support parents as the primary decision makers on these matters. Families should be able to trust that when they send their children to school for academic instruction, that their privacy rights are not being violated. We urge passage of HB 1149.

Dana Myers, MD
self, Republican Party of Texas, Vice Chair
Houston, TX

I support this bill
Dana Myers MD
VC, Republican Party of Texas

David Wisley
self
Dallas, TX

STRONG SUPPORT for this bill!

Carolyn Rachaner
self
Denton, TX

I am writing in support of this bill. Parental consent must absolutely be a requirement for any form of psychological questioning of a minor.

dianna biscan
self
Plano, TX

Dear Representatives

I don't remember agreeing with Government to be a CO- Parent. I don't remember giving the government my rights as a parent to allow strangers to take control of my child's rights. We do not want state school employees taking my rights when it comes to my children. I want my children protected from this insertion WITH their assessments and data collection. NOT ALLOWED
I SAY A VERY STRONG SUPPORT FOR HB 1149! YES FOR HB 1149 VOTE YES TO HB1149

Casey Merklung
Self, fitness instructor
Celina, TX

I am writing to urge the legislature to pass HB 1149.

Lauren Greenwade
Self
Lantana, TX

I agree and support this bill, and do believe parents should have to consent to any type of examination, questionnaire, survey, etc. that is administered to children in a school setting. These types of services go beyond the scope of academics that a school should be providing.

Jennifer McHam

Self

Celina, TX

I agree that parental consent is necessary for all treatment of students.

Ruthann Playa

Self

Celina, TX

The role of the education system is to educate, not diagnose without the clear consent of parents. Keep this type of overstep out of the school system.

Karen Hamilton

Self

Celina, TX

Yes

Ryan Parent

The Parent Family

Celina, TX

We are fully in support of these bills.

HB 1149 - requires consent for any psychological or psychiatric exams, testing, treatment by school district employees. This includes surveys and wellbeing checks that are being done now without parental knowledge, including in Prosper.

HB 2273 - would add additional civics to the TEKS that include how political ideologies such as communism and totalitarianism conflicts with freedom and democracy.

HB 2510 - would require school districts to be more transparent about legal fees and get board approval for spending more than \$10,000 on fees in lawsuits against parents

HB 3315/HB 4690 - would tighten up grievance procedures, add the procedures to state law.

HB 5290 - would allow for lawsuits against school districts for violations of parental rights

JONATHAN MAZUR, Father

Self

McKinney, TX

Parental consent needed

Shannon Noble

Texas Counseling Association

Austin, TX

The Texas Counseling Association opposes HB 1149. Existing provisions are already in place regarding limiting psychological examination as well as providing exceptions for health emergencies such as suicide prevention and substance use prevention. Moreover, it would create confusion for teachers and other professionals who are just trying to gather basic information about student interests as a matter of routine pedagogy. The bill would also place an unnecessary burden on schools that are trying to implement safe and supportive school programs. Parents already have the right to see any survey results as a school record and to preview any materials upon request. (TEC 33.004). Thank you.

Chris Donofrio
Self / Parent
The Woodlands, TX

I support HB 1149.
I urge you to pass it out of committee.

Parents, not the state, not school districts ,or their employees, have the final say in such matters.

Texas Family Code 151.001: Rights and duties of parents.

151.001 (a) A parent of a child has the following rights and duties: (6) the right to consent to the child's marriage, enlistment in the armed forces of the United States, medical and dental care, and psychiatric, psychological, and surgical treatment.

I do, however, find it ironic that HB 1149 seeks to affirm these duties, while HB 1686 (passed out of committee last week) firmly denies these rights to parents. Our elected representatives seem to be of two minds on what we as parents control versus massive state intrusion into our lives.

I prefer rights, not intrusions by the state.

I support HB 1149.
Please pass it out of committee.

Respectfully,
Chris J. Donofrio

Juan Cruz, Mr.
TSTA
San Marcos, TX

I

Courtney Meinen
Self CFO
Austin, TX

Caregiver/parent/guardian consent should be required for all psychological or psychiatric care and testing.

Rebecca Hamilton
Self
Smithville, TX

Please vote YES for HB 1149. Parental consent should be required prior to psychological or psychiatric exams, testing, or treatment by a school district employee.

Meaghan Bihun

self - non-profit education

San Antonio, TX

I am in strong opposition to HB 1149 by Swanson. The continued attempts to overstep into classroom instruction by those who are not trained or educated regarding educational pathing, standards, and growth is appalling and alarming. Banning basic check-ins or classroom surveys with students regarding their state of mind ignores the heavy lifting teachers do every day for dozens to hundreds of students who are with them for eight to ten hours of each day. The language here that is of most concern is that which forbids check-ins and instructional sensitivity to a student's experience. Students face impactful lessons in many areas of schooling where a teacher or administrator may need to be informed of the students' "attitude, ... opinion, belief, feeling" via "survey, check-in, ... embedded in an academic lesson" in order to ensure the safety and well-being of the entirety of the student body.

Teachers are in partnership with parents when educating those students entrusted to them, parents expect that teachers are looking out for the well-being and safety of those students; they cannot do this if they are prohibited from so much as asking a student how they are feeling after impactful or difficult lessons. Teachers also face the hard task of educating a classroom full of students with a diverse set of life experiences, circumstances, and conditions; this bill asks teachers to remain immovable to those experiences and circumstances, focusing solely on one-size-fits-all approaches to difficult topics or students' reception of any topic or circumstance.

Again, this bill like so many others this session is couched in the language of protecting parental rights to notification while burdening teachers with the actual care of students absent information and feedback. There is no empowerment in this bill, only removing the care, warmth, and individualization of the classroom once so present in Texas public schools. I am only glad that my mother, a Texas public school teacher for 40 years loved by many of her students for that kind of warmth and individualization of lessons, did not live to see this strip-mining of education in Texas schools.

Please do not pass HB 1149 or any of its companions, related bills, or similar bills out of committee. Texas students and families deserve better than this lip service to parental rights and decimation of actual education.

Jennifer Williams

Paid for by me, myself and I

Weatherford, TX

This is the letter I sent to the Superintendent of my child's school after I found out a Psychological/ Mental Health Survey had been conducted on him without my consent.

I asked if the Panorama mental health assessment/survey had been administered, and if so, when it was administered, "Why wasn't I notified and why was this test or any other form of 'Psychological, or Social/Emotional' testing performed on any of my children/child conducted without MINE or MY husband's consent?"

Ms. M's returned my call the following day and stated that Panorama "survey" had been conducted at the beginning of the year and after the children returned from Christmas Break. Good thing because again, no parent or guardian ever consented!

All of the children within this state are entitled FAPE; this is guaranteed under the 14th Amendment of the United States Constitution and numerous Federal and State Laws. A free and appropriate public education should in no way shape or form provide the illusion to any Teacher, Administrator, Counselor or member of the Board of Trustees that they have the qualifications to decide what is best for each and every child within the district when it comes to these kinds of tests. Whether or not a test like this is given to a child should be the parents' choice and the parent should have all pertinent information and provide CONSENT before the test is administered. This is nothing more than an experiment on our children and needs to be dismantled immediately. The fact that anyone feels that they have the right to administer any kind mental health assessment/psychological test without parental consent is inconceivable. When you ask, where the data goes, no one can tell you but parents that have been following these things for a while know. The Commissioner of TEA, Mike Morath, claims he doesn't know but the parents. It is outrageous that I have to monitor the school to make sure that they are not data mining my children or psychoanalyzing them through mental health evaluations/surveys or check-ins, that I previously knew nothing about. I find this to be interesting that mental health surveys are being pushed in the schools after you all, you legislators, our governor and our top healthcare advisors caused the need for increased mental health services for some of these children. You masked them, kept them inside, wouldn't let them go to school or play with their friends during the shamdemic when YOU KNEW that the real science said that children were at the least amount of risk from Covid. Once again, you created a crisis and are trying to be the saviors and failing miserably but ESSR and CARES funds, right? Before the pandemic you were and still are failing at adequately educating our children so now its easier to use our schools as mental health facilities.

It is essential to pass HB 1149 and add penal code attachments to those who administer these tests without parental consent.

Kim Roland

Self / Retired

Lockhart, TX

I SUPPORT HB 1149 and appreciated Rep. Swanson for authoring this bill to ensure parental consent.

Cecilia Wood, Esq.

Family Freedom Project and self- attorney/lobbyist

Austin, TX

Representative Swanson, Thank you for taking this big step to protect students and permit parents to exercise their obligations and their rights to protect their children regarding this most personal issue and invasive procedures. Schools should not be vehicles to probe into and gather data on students' most intimate thoughts and beliefs. The results of these practices can affect and shape a child's future indefinitely. The law is clear that parents have ta fundamental right to make decisions regarding their children and direct their upbringing and it is entitled to the highest protection from non-parents, including the government. Schools are not exempted from the law. Parents and students do not forfeit their constitutional rights simply by complying with compulsory attendance laws. Thank you for this step to solidify these protections in Texas schools.

Jill Fearing, Mrs

Constituent

Lantana, TX

Please protect our kids by supporting this important validation of Parental Rights.

Christine Bryan, VP, IT and Public Policy
Clarity Child Guidance Center
SAN ANTONIO, TX

Clarity Child Guidance Center, a non-profit children-only psychiatric hospital, is against HB 1149. The definition of an assessment, as written, is not a correct definition. We also have concerns that the definition, regardless of what it's called, is very broad and may cause confusion with the educational staff required to enforce it.

For these reasons, on behalf of our kids and families we are against HB 1149.

Garrett Costello
Self
The Woodlands, TX

I support this bill and urge you to vote YES.

Janelle Davis
Self/Texas Education 911
Celina, TX

Please support HB 1149. I have 3 child in Prosper ISD schools. My oldest is in 6th grade and he was given a "needs assessment" survey at the beginning of the year without my knowledge or consent. He was asked how often he suffers from anxiety, how often he is bullied or feels sad, how often he struggles with self esteem, how much time he spends on gaming apps and whether he is bullied on those, and he was asked if he feels safe at home. I had already told the school I did not want him participating in any surveys, but he was still given this assessment. In addition, I never received his answers to the assessment until 3 months later when I happened to ask if he had been given any surveys. The district did not see any issue at all with this. I currently have a pending grievance related to the issue. Also, the students at this school are required to have monthly lessons from the guidance counselor. At the end of those lessons, the students compete a google document answering questions related to the lesson. This google document goes to the counselor and parents are not told about it. Please support this bill so that parents are provided with information about what surveys their children are being asked, and the option to provide informed consent. Thank you.

Kris Kittle, Dr
self
Fort Worth, TX

Please SUPPORT this bill so parents--the persons legally responsible--can determine what is best for their children.

Debra Carter
Bastrop County Conservatives
Cedar Creek, TX

I support HB 1149. Parents must have all decisions of their children.

EVE MARGOLIS
self
Austin, TX

I OPPOSE HB 1149. Schools are often the only place students have to get counseling or other kinds of support outside of their family. If the trouble they need help with involves their family, if they are being abused, if they live in an unsafe household, if they feel that the issue they are facing will be met with negative or abusive results in their home this bill will take away any recourse this child has to reach out for help.

George Brian Vachris, P.E.

self retired

Humble, TX

I support this bill.

Emmaleigh Toto

Self

San Marcos, TX

I am providing testimony AGAINST this bill, as I do not support creating additional burdens for K-12 public school students to access mental health services in the state of Texas. The after effects of student trauma is something I have witnessed first hand in my classroom for the past three years, and is something ALL educators will be facing for at least the next decade. Providing MORE services, with easier access to students State wide is one of the strongest investments we can make for the future of our state. Thank you for your time.

Juanita Lux

Retired

Lindale, TX

Keep parents involved with choices for their children. This bill would require parental consent for psychological or psychiatric examination, testing, or treatment conducted by a school district employee. This is a good parental rights bill that protects children from unwanted assessments and data collection while they are at school.

Mitzi Higginbotham

Self

Reklaw Texas, TX

I support HB 1149 because it is transparent with parents. The school district should require parent/guardian consent to opt out or in, of any type of SEL (Social, Emotion and Learning) surveys, questions, and check points. This bill supports parents and provides common sense, courtesy, and transparency for the parent/guardian, to opt, their children out of the surveys, well being checks, and those types of questions. It also protects the child from being a child. Please support HB 1149.

Melinda Preston

Citizens Defending Freedom

Frisco, TX

Parents should absolutely be informed and have to give permission before anyone is allowed to examine or speak to their child. Please vote yes to this bill.

Teresa Satterwhite

self

Fairview, TX

Please support this bill. Parental consent is already required for psychological examination, testing and treatment, but schools aren't honoring that. Instead, they call them assessments, surveys, or wellbeing checks. This bill defines psychological examination, testing and treatment so it is clear that assessments, surveys, or wellbeing checks must be opt-in.

Diana Duncan, Mrs.

Self Realtor

Abilene, TX

Pass this bill

Monya Crow
self
Highland Village, TX

The people testifying against this bill are parents who are engaged in their students mental, psychological and social well being. No one has spoken for the children whose parents don't. Children are not able to section out their feelings and emotions and leave them at home while they go to school. Their feelings and emotions impact how well they are ready to learn. Public Ed has always and will continue to seek and welcome parent engagement in our schools. All the programming that they parents testified on today, students are able to be opted out of. Parents should be able to make decision for THEIR child with regard to this material and support, but not all children. Checking in and asking how a child feels is not a psychological exam.

Jim Lennon
Kingwood TEA Party
Cleveland, TX

Kingwood TEA Party supports HB 1149.

Lisa Smith
Self
Plano, TX

Schools are not honoring the op-in consent already in place for psychological testing, examination, surveys treatments. They hide them under the guise of things like daily wellness checks where young children can select a smiley face or frowny face according to their mood. This is not an accurate detection of psychological issues. I SUPPORT this bill as it defines psychological examination, testing and treatment so it is clear that assessments, surveys, or wellbeing checks must be opt-in.

Debi Litton
self
Sherman, TX

"The care of human life and happiness, and not their destruction, is the legitimate object of good government." Thomas Jefferson

Dear Congressperson,

My name is Debi Litton and I am a resident in TX Congressional District 62 and TX Senate District 30.

I am writing to ask you support this bill.

I think the school systems are overreaching their authority and disrespecting parental rights.
This is a sensitive subject and very private matter for parents to control.

I would appreciate your pushing these bills forward.

Sincerely,
Debi Litton

Jerry Rubli
Self
Spring, TX

Parents need to know when their child's school will be examining them. Pls vote for this.

Jane Aguirre
Self, Retired physician
Temple, TX

I support HB 1149. I agree with some of the testifiers today that tightening the language to preclude infringement of a Teacher or Principal's ability to casually inquire and have conversation with a student regarding noted behavior changes may be needed to prevent unintended barriers, but the use of 3rd party mood surveys with recorded data collection of answers is inappropriate. It is murky how that data is used, how long it follows the child and consequences that may occur from what may have been a transient mood disturbance or a misinterpretation of the survey general question.

Some schools are doing mood surveys in early elementary grades according to testifying parents - this demonstrates the lack of understanding of child development, with a high likelihood of error, IMO.

Texas schools perform poorly academically - for decades. I support the Legislature focusing on fixing Academic rigor, and demonstration of academic mastery, as best serving our students and their parents. Too much time is diverted for social issues when a large proportion of our kids are not on grade level for reading and math, etc. One Mother said her Kindergarten child had an hour a day devoted to introspection on their feelings...

Bonnie Seelig
Self Retired
Spicewood, TX

SUPPORT 1149

It is not the school's responsibility to examine, test or treat students. Schools were not designed to be one stop shopping. This is not an orphanage or assisted living.

Schools are not the place to have unlimited access to student's thoughts and feelings in order that the child's feelings and thoughts can be manipulated against family values.

NONE of these testing situations, questions or psychological examinations are a part of TEACHING THE STUDENT LIFE SKILLS!

THE SCHOOLS JOB IS TO TEACH THE CHILD HOW TO THINK, NOT WHAT TO THINK!

James Ransdell
Self
Seguin, TX

Parents must absolutely have the right to prevent anyone from soliciting personal and family information from our children without our fully informed consent. Please pass HB 1149

susan Lucas
self retired
BRYAN, TX

Please Vote For!!!!!!

Nicole Duncum
Duncum family
Austin, TX

I support parent consent for anything for students in the public school system & anywhere else. No student should be allowed to do any form of evaluation without parent consent.

Melissa Beckett
Self
Longview, TX

SUPPORT - I support parental consent for all psychological examination, testing and treatment including survey, etc.

Alexandru Ardel

self

Austin, TX

I strongly support this bill. Psychological or psychiatric examination, testing, and especially treatment conducted without parental consent is totally unacceptable.

Sheila flynn

SELF

Livingston, TX

Please think about instances where the parent is the accused perpetrator and how consent will be given for testing.

susan gilchrist

Self/ Realtor

Austin, TX

I am supportive of this bill!

Nathan Macias

Self

San Antonio, TX

I support and ask for a YES vote out of committee!

Anne Newman

Self

Fair Oaks Ranch, TX

Please support HB 1149

David Layland

Medicarew

Cedar Creek, TX

I strongly support HB 1149

Richard McKenzie

self

Austin, TX

I support HB1149. This bill protects children and families from the privacy invasions and data harvesting perpetrated by the tech companies that create interactive "survey" and "assessment" programs; and from subjecting children to physical and pharmaceutical "treatments" of "conditions" that may exist only as subjective "professional opinions" rooted in philosophical or political beliefs rather than in objective fact. Please support the natural rights of parents to determine what is best for their children by supporting HB 1149.

Thank you

Paula Hilliard, Mrs

Self

San antonio, TX

The assessments being slipped into our children's education are concerning. The family unit has to be protected. Children have always had bad days and something going on, and loving teachers and principals discerned it and knew when they needed to call the parents. I think they still do, but what is happening now is overreach coming from above their heads.

We don't want vendors or newfangled products digging for a problem that may have been resolving naturally, or planting ideas in our kids' heads. Some industries benefit from that so they advocate for it. Listen to those who are protecting the family not those who want to justify their programs, create new clients or grab data.

Love and common sense. Back to basics. Physical textbooks. More recess. Support teachers. Healthy food. Letting kids make mistakes. Not calling everything under the sun bullying, etc. Expecting more of kids. Try these things, then watch Texas pub ed transform overnight! Please support this bill! Thanks!

Lonnie Lassmann

self

San Antonio, TX

I support HB 1149 and the requirement for parental consent. Parents need to be involved in these situations.

Amanda Logan

self

Austin, TX

Schools aren't honoring existing parental consent requirements for psychological examination, testing and treatment. They are using the terms "surveys," or "wellbeing checks." As the "Social and Emotional Learning" industry makes more headway into schools, parents must absolutely have the right to prevent anyone from soliciting personal and family information from our children without our fully informed consent.

Chrystina Power

self/retired military

Spring Branch, TX

Vote YES!

Glenn Light

Dr. and Mrs.

San Antonio, TX

in favor

Glenn Light

Dr. and Mrs.

San Antonio, TX

in favor

Glenn Light

Dr. and Mrs.

San Antonio, TX

in favor

Alan Orr, Dallas County Republican Precinct 2804 Chair
Republican Party of Texas and Dallas County Republicans
Coppell, TX

Please pass this very important legislative priority for the people of Texas. Parental consent for a psychological exam is a basic right of parents given by God Almighty, the Constitution of the United States and the Constitution of the State of Texas.

Carla Birk
Self
Tomball, TX

I urge committee members to vote in favor of 1149 to require parental consent for all forms of psychological testing, surveys, examinations and for any related treat. Parents are the ultimate advocate for the interests of their children.

Natalie Olsson
self
Corpus Christi, TX

I support this bill.

Carolyn Hunter
Yellow rose republican women
CYPRESS, TX

Parental consent is necessary for all treatment of students, when conducted by the school district.

Michael Wagner, Parent
Self
Mesquite, TX

Yes to this bill !!! How could you represent your constituents and vote any other way???

Marlene Lobberecht
self/retired Spec. Ed/CTE teacher
Houston, TX

Not necessary as it is currently required for ISDs; everything is optional for charter and private schools.

Sharon Tryon, Mrs
Self
Waxahachie, TX

I support this bill

Gael Deleon
Republican Party
Cypress, TX

Parents should always reserve their rights!

Peter McCann
Generation Pet Veterinary Clinic
HUMBLE, TX

Yes!

Michael Walton, Pct. 601 Chairman

Self, - retired

Spring, TX

Please support and pass HB1149.

ANY TYPE of healthcare examination of a minor ABSOLUTELY SHOULD REQUIRE PARENTAL CONSENT!

This should not even be a question!!!!

Brandi Burkman

network manager

Leander, TX

I have two children that attend Leander High School and a 11 year-old that I pulled from Leander ISD out of fear that ideologies being pushed in public school made it no longer safe for her mind. It is a constant battle to try to protect my oldest two who had already bonded with their athletics teammates. They are allowed to continue in LISD only because I have their passwords to all online curriculum since the district has elected not to provide parental log-ins as required by SB3. That is actually how I came across a research survey that was emailed to my 14 year-old daughter on May 11. The superintendent's signature block was included in the body of the email so that it appeared to come from him, although upon closer examination, the sender was K12 Insights, labeled as research program via LHS students. The survey asked my daughter to rate her physical well-being and emotional well-being, her feelings on how well she liked school, her feelings on if what she learns makes her a better person, if she feels good about herself at school, does she feel respected, does she feel accepted and does she feel safe being herself. My daughter received email invitations to respond to the survey, 3 additional times over the next 3 weeks, each with an increased sense of urgency in the subject line. The fact that the email appears to come from the superintendent suggests to me that he was trying to use his authoritative status to coerce my daughter into submitting the survey. A similar survey was sent to parents, labeled as "climate survey" but there was no option to consent for the parent's child. The line of questions posed to my daughter could potentially reveal mental or psychological problems, which is in violation of 20 USC 1232h, protection of pupil rights. It is not my intent or desire for my children to have their privacy and my parental rights violated. Through PIR, I requested my children's submissions to surveys and received the response that since they are conducted anonymously, that was not a possibility, although TX Education Code 26.008 states it's my right to full information regarding my child. I have records of surveys given to my daughter that allowed her to waive her anonymity and provide her name, phone number and email. Twice in the body of the email, research was stated, which was also not included in the parent email. Children are one of the most vulnerable and protected populations and 21 CFR 50.23 states that consent is required for human subject research, a Nuremberg violation. The disregard to required parental consent and informed consent is a violation of parental rights and children's privacy rights.

Juan Ramirez, Mr.

self

Round Rock, TX

I am writing to express my strong opposition to the bill that would require parental consent for psychological or psychiatric examination, testing, or treatment conducted by a school district employee.

While I understand the importance of parental involvement in their child's education, this bill would unnecessarily impede a student's ability to receive vital mental health services. Mental health is a critical component of overall well-being, and school is often the first place where mental health issues are identified and addressed. It is important that students have access to the resources and support they need to address any mental health challenges they may be facing.

Mental health services provided by school district employees are often a lifeline for students who may not have access to these resources elsewhere. Requiring parental consent for such services could prevent students from receiving timely and necessary treatment, which could have severe consequences for their academic and personal success.

I urge you to reconsider this bill and to prioritize the mental health and well-being of our students. Thank you for your attention to this important matter.

Minda Anderson
Self, private citizen
Austin, TX

Please DO NOT approve this bill since it would create additional barriers to mental health care. The students in the state of Texas deserve to access mental health care when needed, especially given the trauma they have experienced due to COVID. Parents are already a part of their children's mental health care and their children do not need extra barriers to receive services.

Torrenzo Moore, Dr
Self Licensed Professional Counselor
Katy, TX

Vote yes on this bill!

D.S. Zamora, Mrs.
Self - Retired
Houston, TX

I am ****opposed**** to HB 1149 in its current form.

My impression of this bill is that it will tie the hands of school employees in terms of protecting school populations as a whole. We have too many Texas parents that will not cooperate to help prevent their child from hurting someone else.

While parents should be granted certain courtesies and rights, the basic safety of school populations should take precedence. We have a recent history of unfortunate events that result from a failure of parental supervision, whether intentionally neglectful or not.

I might agree to a revised bill, but specific provisions would need to be present within it.

Monica Cline
It Takes a Family Inc
Fredericksburg, TX

I support HB 1149

The Texas Education Agency Mental and Behavioral Health department have implemented a vigorous mental and behavioral health program and best practices. These efforts, albeit noble, have led districts to consistently administer daily emotional check-ins with students in all grade levels. Some of these emotional or mental health check-ins are administered via an app that is loaded on a child's phone. The child is then instructed to log their emotions throughout the day at consistent times. The app and or teachers help remind the students to check-in on the app. This app is called Rhithm and it's at various Texas schools and currently in my area of the Texas Hill Country Mason, TX. A family in the Belton area had CPS called on them by this app because their son checked-in as hungry 3 days in a row prior to lunch time. Children are always hungry before lunch time and after lunch time for that matter. This is a great violation on the child, their privacy and the family. The data from these apps are shared with 3rd party vendors and Rhithm's contract states that they will not be held liable for any harm to a child. There are hundreds, maybe thousands of mental health/SEL programs that are intruding into the personal and vulnerable minds of our youth and this practice must stop. I am aware that there are children who are in trauma and need help, but those children can be identified through a current program called Child Find, which has protective measures to ensure families and children rights are not violated. These extra programs that are marketed as potentially identifying depression or suicidal ideation are not supported by any science. Most of them will state that they are still in the evaluation stage and are gathering data now to improve their program. Essentially they are experimenting with our children. We do not know what adverse effects will occur from their implementation and this Texas mother and grandmother does not believe that our great state should be or allow third parties to experiment on our own children. Imagine going to your job and being asked how you feel multiple times a day, every day. Next you are asked to share your difficulties and secrets with your superior and fellow peers in a group setting. Then you are instructed to make apologies for your errors. This is what is being done at Stonewall Elementary in the Texas Hill Country. There are countless SEL programs, mental health programs, suicide prevention programs, emotional check-in apps etc. that our children are being harassed with each day. The result is that our children are being emotionally manipulated into depression. Please support this bill and stop the unsolicited and unethical mental health check-ins that are imposing on our children in public school.

Jaelyn Hall
Self
Ingram, TX

God has given full responsibility for children to their parents. Please bolster the rights of parents to be asked for consent before their child undergoes any kind of psychological exam or counseling. Parents know what is best for their children, not government. There are too many things being done to children in govt schools without the knowledge of their parents. We need to get back to full transparency with parents!

Terri Hall, Legislative Liaison
We the People - Liberty in Action
Kerrville, TX

We are in favor of this important legislation.

Texas Education Code Sec.26.009 requires written parental consent for psychological examination, testing and treatment.

Texas Education Code 26.009 does not define these terms. HB1149 is designed to fix that.

A federal rule, relating to students' privacy in examination, testing and treatment gives definitions:

According to 34CFR 98.4(c):

Psychiatric or psychological examination or test means a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs or feelings; and

(2) Psychiatric or psychological treatment means an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

Every intrusive survey, app, "check-in" or "well-being check" your child is getting, that inquires about attitudes, habits, traits, opinions, beliefs or feelings, by meets these definitions. Does it not?

Even worse, some of the things being done in schools create dashboards or profiles on children. Some, like the Rhythm app, trigger alerts.

Unfortunately, now some of these things are incorporated into academic instruction, whether it is in Health textbooks, Social and Emotional Learning, or assessments incorporated into other classes. Does this mean they are directly related to academic instruction? At least one school has made that excuse.

HB1149 pulls these federal definitions into Chapter 26.009, gets rid of the exception for things that are directly related to academic instruction, and then adds more.

We hope that by having a broad, descriptive definition, parents can quit playing "whack-a-mole" with things that look like the definitions above but are called something else.

This bill is not about whether or not parents or families like mental health treatment, or SEL.

It's about Who gets examined, tested or treated, Where it happens, When it happens, and Who gets to decide. Parents should be the primary decision makers on these matters.

Please pass this bill favorably out of committee right away.

Melissa Rowell, Honorable
Self employed
Houston, TX

I support this bill. Relating to these exams, I definitely believe the district needs to get parent consent for this kind of exam, testing or treatment. A school district or their employees should not supersede a parent's wishes. Schools have been on a slippery slope trying to take over for parents and teaching the students it is ok to conceal things from their parents. Even doctors won't treat a child without the consent from a parent.

This bill is very important and I hope you will pass it out of committee and give it a favorable vote in the house!

Dale Dittmar
self-retired
Fredericksburg, TX

I wish to voice my support for HB 1149 requiring parental consent for a child to receive a psychological examination in a school setting. As legal guardians, parents have a right to know what their child is subjected to in school. Should the school staff suspect that the child may have a serious psychological issue the parent should be informed prior to any evaluation, have full knowledge of the type of evaluation to be conducted, and be invited to submit any pertinent information they may have should they consent to an evaluation by personnel selected by the school.

Lauren Beck
Self, teacher
Lantana, TX

I support this bill

Jo Foley
self/none
Henderson, TX

Please pass HB 1149 out of committee and pass it into law on the floor.