

BILL ANALYSIS

Senate Research Center
89R2628 RDR-D

S.B. 112
By: Hall
Education K-16
2/24/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A parent is entitled to access all the written records of a school district concerning their child, such as attendance records, test scores, grades, disciplinary records, counseling records, psychological records, applications for admission, health and immunization information, teacher and school counselor evaluations, counseling records, behavioral reports, and records relating to assistance provided for learning difficulties. In practice, schools are not always forthcoming with information, and parents have reported difficulty obtaining their student's records, to which they are entitled by law.

This Bill Would:

- Ensure that a parent is entitled to access all electronic or digital records concerning their child, in addition to the "written records" specified in the statute; and
- Require a school district to obtain written parental consent before administering a student well-being questionnaire, healthcare screening form, or survey to a student, in addition to the consent required to conduct a psychological examination, test, or treatment.

Additional Information:

- This bill reaffirms a parent's right to access all physical or digital records pertaining to their student and to grant or withhold consent for various evaluations.

As proposed, S.B. 112 amends current law relating to parental rights in public education.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 26.004(b), Education Code, to provide that a parent is entitled to access to all written or electronic records, rather than to access to all written records, of a school district concerning the parent's child, including certain documents.

SECTION 2. Amends Section 26.009, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires an employee of a school district, subject to Subsection (a-1), to obtain the written consent of a child's parent before the employee is authorized to perform certain actions, including administering a student well-being questionnaire, health care screening form, or survey. Deletes existing text requiring the employee to obtain the written consent of a child's parent before the employee is authorized to conduct a psychological examination, test or treatment, unless the examination, test, or treatment is required under Section 38.004 (Child Abuse Reporting and Programs) or state or federal law regarding requirements for special education. Makes nonsubstantive changes.

(a-1) Provides that a parent's written consent is not required under Subsection (a) if an examination, test, or treatment is required under Section 38.004 or state or federal law regarding requirements for special education.

SECTION 3. Effective date: upon passage or September 1, 2025.