



## **TASA Bill Summaries for the Regular 89th Legislative Session Phase One**

### **Important Note:**

**TASA Governmental Relations staff are still working through a comprehensive HB 2 summary, so the following bill summaries are not intended to serve as TASA's Final Bill Summary Report for the 2025 Regular Legislative Session. The following bill summaries, listed by category below, are Phase One of our release of the Final Bill Report. The complete report will include the omnibus HB 2 and any education-related bills passed during the First Called Special Session and be released as Phase Two as soon as it is available.**

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## ACCOUNTABILITY

### **SB 1418 – Terminology Used to Refer to Certain Assessments**

#### **Campbell**

Removes the “SAT subject test” from the list of exams that require the commissioner of education to determine a method by which a student’s satisfactory performance will satisfy EOC exam requirements. Makes conforming changes by replacing reference to the “ACT-Plan” with the “PreACT” throughout applicable Education Code.

Amends additional exam terminology in the provision that requires the commissioner to adopt criteria for the academic distinction designation for districts and campuses for outstanding performance in the attainment of postsecondary readiness. New language refers to the PSAT, SAT, ACT, or the PreACT.

Effective date: Immediate

## ADMINISTRATIVE/GOVERNANCE

### **HB 167 – Verification of Excused Absences for Severe or Life-Threatening Illnesses**

#### **Rosenthal**

Requires a school district to excuse a student from attending school for an absence resulting from a serious or life-threatening illness or related treatment that makes the student’s attendance infeasible, if the student or the student’s parent or guardian provides on a form adopted by the district a certification from a physician licensed to practice medicine in this state specifying the following information, as determined by the physician: (A) the student’s illness; (B) a statement that the illness is serious or life-threatening; (C) the anticipated period of the student’s absence; and (D) a statement that the illness makes the student’s attendance infeasible during the anticipated period of absence. Requires a school district to: (1) adopt a form to provide the certification; and (2) may not require the student or the student’s parent or guardian to provide more documentation or information than is required by the form.

Mandates a school district, as soon as practicable after the effective date, to adopt the form required by this Act. Applies this Act beginning with the 2025-2026 school year.

Effective date: Immediate

### **HB 1481 - Policies on Student Use of Personal Communication Devices**

#### **Fairly**

Requires the board of trustees of a school district and the governing body of an open-enrollment charter school to adopt, implement, and ensure the district or school complies with a written policy prohibiting a student from using a personal communication device while on school property during the school day. Mandates the policy establish the disciplinary measures to be imposed for violation for the prohibition and may provide for the confiscation of the personal communication device.

Allows the policy to provide for the district or charter to: comply by (1) prohibiting a student from bringing a personal communication device on school property or designating a storage method for a student’s personal communication device while the student is on school property during the school day; (2) disposing of a confiscated personal communication device in any reasonable manner after having provided the student’s parent 90 days’ prior notice in writing of the intent to dispose of that device.

Requires the school board or governing board to authorize use of a personal communication device: (1) necessary to implement an IEP, 504, or a similar program or plan; (2) by a student with a documented need based on a directive from a qualified physician; or (3) necessary to comply with a health or safety requirement imposed by law or as part of the district's or school's safety protocols.

Defines "personal communication device" as a telephone, cellphone such as a smart phone or flip phone, tablet, smart watch, radio device, paging device, or any other electronic device capable of telecommunication or digital communication. Excludes from the definition an electronic device provided to a student by a district or school.

Requires TEA to develop and publish on its website model language for the policy. Does not apply to adult education charter schools. Mandates that the trustees or the governing body, as soon as practicable but not later than the 90th day of the effective date, adopt the required policy.

Effective date: Immediate

### **HB 1522 – Notice of Open Meetings: 3 Business Days** **Gerdes**

Changes the posting notice for school board meetings from 72 hours before the meeting to 3 business days before the meeting. If the board will discuss or adopt a budget, the notice must include a physical copy of the proposed budget unless the district has made the budget clearly accessible on the homepage of the district's website and must include a taxpayer impact statement.

Effective date: September 1, 2025

### **HB 2757 – Policy on Admission Age for Children of Foreign Military Members** **Frank**

Permits a school district board of trustees to adopt policy allowing a person whose parent or guardian is an active-duty member of a foreign military force stationed in Texas to establish the person's age for purposes of determining eligibility by demonstrating that the person will turn the required age during the school year for which the person is seeking admission. Applies this Act beginning with the 2025-2026 school year.

Effective date: Immediate

### **HB 4214 – Database of Mailing List for Requests for Public Information** **Curry**

Requires governmental entities, including school districts, to annually notify the attorney general of the current mailing address and electronic mail address designated by the district to receive public information requests. Requires this information to be provided to the attorney general by October 1 each year. The attorney general must create a database for this purpose.

Effective date: Immediate

## **HB 4219 – Governmental Body’s Response to Request for Information**

### **Capriglione**

Requires a public information officer to notify a requestor in writing within 10 business days of receiving a request for public information if the governmental body determines it has no information responsive to the request. If the governmental body determines that the requested information is subject to a previous determination that permitted or required withholding the information, the public information officer must, within 10 business days of receiving the request, notify the requestor in writing that the information is being withheld and identify the specific previous determination the government body was relying on to withhold the requested information.

If a governmental body fails to respond to a requestor as required by law, the requestor may send a written complaint to the attorney general that must include the original request for information and any correspondence received from the governmental body in response to the request. If the attorney general determines the governmental body failed to comply, they will notify the governmental body in writing to complete open records training within six months after receiving the notification. Prohibits the governmental body from assessing costs to the requestor for producing information in response to this request. If the governmental entity seeks to withhold information in response to the request, they must request an attorney general decision not later than the fifth business day after they receive the notification and release the requested information unless there is a compelling reason to withhold the information. Changes by this Act apply only to requests for information received by a governmental body on or after the effective date of this Act.

Effective date: September 1, 2025

## **HB 4310 – Special Right of Access Under Public Information Act**

### **Vasut**

Allows a member of the governing board of a governmental body to inspect and duplicate public information maintained by the body if the member is acting in an official capacity. Provides that the information requested be provided to the member promptly and without charge. Exempts information that is confidential under law or protected under attorney-client privilege. Allows governmental entities to request a member of the governing board to sign a confidentiality agreement and require that: (1) the information not be disclosed; (2) the information be labeled as confidential; (3) the information be kept securely; or (4) the number of copies made of the information or the notes taken from the information that implicate the confidential nature of the information be controlled, with all copies or notes that are not destroyed or returned remaining confidential and subject to the confidentiality agreement. Allows a member of the governmental entity to seek a decision from the attorney general regarding whether the information covered by the confidentiality agreement is confidential under law.

Effective date: September 1, 2025

## **SB 10 – Display of the Ten Commandments in Public School Classrooms**

### **King, Phil**

Requires a public elementary or secondary school to display in a conspicuous place in each classroom of the school a durable poster or framed copy of the Ten Commandments. Mandates the display must: (1) include only the text in a size and typeface that is legible to a person with average vision from anywhere in the classroom in which the poster or framed copy is displayed; and (2) be at least 16 inches wide and 20 inches tall. Requires the text to read as follows:

“The Ten Commandments  
I AM the LORD thy God.  
Thou shalt have no other gods before me.  
Thou shalt not make to thyself any graven images.  
Thou shalt not take the Name of the Lord thy God in vain.  
Remember the Sabbath day, to keep it holy.  
Honor thy father and thy mother, that thy days may be long upon  
the land which the Lord thy God giveth thee.  
Thou shalt not kill.  
Thou shalt not commit adultery.  
Thou shalt not steal.  
Thou shalt not bear false witness against thy neighbor.  
Thou shalt not covet thy neighbor’s house.  
Thou shalt not covet the neighbor’s wife, nor his manservant, nor  
his maidservant, nor his cattle, nor anything that is thy neighbor’s.”

Requires a school that doesn’t have a display to: (1) accept any offer of a privately donated copy or framed poster that meets the requirements of these provisions, doesn’t contain any additional content, and is displayed as specified in this legislation. Allows a district to use district funds to purchase the poster or framed copy. Does not exempt any public elementary or secondary school from these provisions.

Establishes that the attorney general shall defend a public school in a cause of action relating to any claims arising out of a school’s compliance. Provides that in a cause of action defended by the attorney general, the state is liable for the expenses, costs, judgements, or settlements of the claims arising out of the representation. Allows the attorney general to settle or compromise all claims. Applies beginning with the 2025-2026 school year.

Effective date: September 1, 2025

## **SB 11 – Period of Prayer in Public Schools Middleton**

Permits a board of trustees of a school district or governing body of an open-enrollment charter school not operated or affiliated with a religious organization, by record vote on a resolution, to adopt a policy requiring every campus to provide students and employees with an opportunity to participate in a period of prayer and reading of the Bible or other religious text on each school day. Establishes the wording needed in a resolution to adopt such a policy. The policy adopted must: (1) prohibit a student or employee of the district or charter school from being permitted to participate in the period of prayer and reading of the Bible or other religious text unless the employee or parent or guardian of the student submits a signed consent form with specified acknowledgements and express waiver of the person’s right to bring a claim against the policy; (2) prohibit the provision of a prayer or reading over a public address system; and (3) specify that a period of prayer or reading may not be a substitute for instructional time. Allows an employee or parent or guardian of a student to revoke consent by informing the appropriate school administrator as determined by the policy. Prohibits an employee or student from participating in the period of prayer or reading unless a new consent form is submitted and remains bound by the express waiver to bring a claim against the policy.

Requires an adopted policy to include provisions ensuring a prayer or reading of the Bible or other religious text is not provided in the physical presence of, within the hearing of, or in another manner that would constitute an injury in fact within the meaning of the United States or Texas Constitution on a person for whom a signed consent form has not been submitted or has been revoked. Allows the period of prayer or reading to be provided: before normal school hours; only in classrooms or other areas in which a consent form has been submitted for every employee or student (that may include an entire school district or open-enrollment charter school); or by any other method recommended by the attorney general or legal counsel for the district or school.

Requires the attorney general upon request to: (1) provide advice on best implementation methods; (2) provide a model consent form; and (3) defend the district or school in a cause of action arising out of the policy. Establishes that if the attorney general defends a district or charter, the state is liable for the expenses, costs, judgements, or settlements of the claims arising out of the representation. Provides that the state is not liable for any claim-related expenses incurred by a district or school that is not represented by the attorney general.

Establishes that regardless of whether a policy is adopted, a student or employee is not prohibited from participating in prayer or reading during a period of the school day that is not designated as a period of prayer and reading of the Bible or other religious text. Prohibits a person from requiring or coercing a student to engage in or refrain from such prayer or meditation during any school activity as part of the constitutional right to pray. Requires each board of trustees or governing body to take a record vote on whether to adopt a resolution not later than six months after the effective date of this Act. Applies this Act beginning with the 2025-2026 school year.

Effective date: September 1, 2025

### **SB 226 – Residency for Children in Safety Placement Agreements**

#### **West**

Requires a parental child safety placement agreement to include a letter from the Department of Family and Protective Services (DFPS) that contains the child's residence address during the placement. Allows a parent or guardian of a child who is the subject of a parental child safety placement agreement to establish residency for public school admission by providing a copy of a letter from the DFPS. Applies beginning with the 2025-2026 school year.

Effective date: Immediate

### **SB 412 – Defense to Prosecution: Material or Conduct Obscene or Harmful to Children**

#### **Middleton**

Replaces the affirmative defense to prosecution for the offense of sexual performance by a child that the conduct constituting the offense was for a bona fide educational, medical, psychological, psychiatric, judicial, law enforcement, or legislative purpose with an affirmative defense to prosecution for that offense that the actor was a judicial or law enforcement officer discharging the officer's official duties at the time of the offense. Applies only to an offense committed on or after the bill's effective date. An offense committed before the Act's effective date is governed by the law in effect on the date the offense was committed.

Effective date: September 1, 2025

## **SB 546 – Required Seat Belts on Buses that Transport Students**

### **Menendez**

Requires school buses to have seat belts for all passengers, regardless of what year the school bus was manufactured. Provides an exception if a district determines it cannot comply for budgetary reasons or if the warranty on a bus would become void if they were required to comply. Requires districts seeking an exception to submit to TEA and present in a public meeting of the board a report that includes: (1) the number of buses operated by or contracted for use by the districts that are not equipped with seat belts, are equipped with two-point seatbelts, and are equipped with three-point seat belts; and (2) the estimated cost to equip buses with the three-point seat belts. This requirement applies to school district-owned buses or those contracted for use by a school district. Allows school districts to accept gifts, grants, and donations from any public or private source to implement the requirement.

Requires TEA to collect the information from school districts, calculate the total amount of financial assistance needed for all school districts to fully comply, and summarize and report to the governor, the lieutenant governor, the speaker of the House by January 1, 2027.

Effective date: September 1, 2025

## **SB 765 – Confidentiality of Fraud Detection and Deterrence for Public Information Law**

### **Kolkhorst**

Provides that information in the custody of a governmental body that relates to fraud detection and deterrence measures is confidential and excepted from the public information law. Fraud detection information includes risk assessments, reports, data, protocols, technology specifications, manuals, instructions, investigative materials, crossmatches, mental impressions, and communications that may reveal the methods or means by which a governmental body prevents, investigates, or evaluates fraud. This confidentiality protection does not affect the ability of a governmental body to share this information as authorized by other law for law enforcement and fraud detection and prevention purposes.

Effective date: September 1, 2025

## **SB 965 – Right of a Public School Employee to Engage in Religious Speech or Prayer**

### **Parker**

Prohibits an employer of a school district or open-enrollment charter school, or another state governmental entity, from infringing on the right of an employee to engage in religious speech or prayer while on duty, unless the infringement is: (1) necessary to further a compelling state interest; and (2) narrowly tailored using the least restrictive means to achieve that compelling state interest.

Effective date: September 1, 2025

## **SB 1049 – Excused Absence for Attending Religious Course (Released Time Course)**

### **King**

Requires school districts and charter schools, on the request of a parent or guardian, to excuse a student from attending school to attend a released time course for at least one but not more than five hours a week. Provides that a released time course is a course in religious instruction offered by a private entity. Requires school districts and charter schools to adopt a policy excusing these students by January 1, 2026.

The policy must require: (1) written consent from the student’s parent or legal guardian for the student to attend the course; (2) the private entity offering the course to maintain and make attendance records available to the district or school at which the student is enrolled; (3) the private entity, parent or legal guardian, or student to assume responsibility for transportation for a student with a disability, to and from any location at which the released time course is offered; (4) the private entity to make provisions for and assume liability for the student enrolled in the course while the student was under the private entity’s care; and (5) the student to assume responsibility for any schoolwork issued during the student’s absence.

The policy must prohibit: (1) districts and schools from using district or school funds, excluding minor costs, to facilitate the provision of a released time course; (2) the private entity from offering the course on district or school property, unless permitted under a neutral policy of equal access that allowed community organizations use of the property; and (3) interference with the ability of the student’s parent or legal guardian to request or access a released time course for students.

Effective date: September 1, 2025

### **SB 1062 – Type of Newspaper Required for Publication of Public Notices** **Kolkhorst**

Allows new methods of publishing public notices in a newspaper. Provides that governmental entities may, in lieu of publishing notices in a newspaper, publish notice in a digital newspaper that: (1) has an audited paid-subscriber base; (2) has been in business for at least three years; (3) employs staff in the jurisdiction of the governmental entity; (4) reports on local events and governmental activities within the governmental entity; (5) provides news of general interest to people in the jurisdiction; and (6) updates its news at least once each week.

Effective date: Immediate

### **SB 1173 – Increase in Competitive Procurement Purchase Threshold** **Perry**

Increases the threshold that triggers the applicability of competitive procurement contracting by a school district from \$50,000 to \$100,000. Applies only to a purchase made on or after the Act’s effective date.

Effective date: September 1, 2025

### **SB 2786 – Religious Organization Use of School Facilities** **Campbell**

Provides that school districts and charter schools may allow a religious organization to use the district’s or school’s facilities to host religious worship, services, sermons, or assemblies only if: (1) the usage does not interfere with the district’s, school’s, or primary educational mission; (2) the religious organization provides the fair market rental value or reimbursement for utilities, security, and other costs related to such usage, unless waived by the board of trustees or governing body; (3) the religious organization agrees to be held liable for damages that occur during use of the facility; (4) the religious organization is subject to the same rental terms to which a nonreligious organizations are subject; and (5) any additional requirements required by law for the use of the facilities are satisfied.



Changes in law made by this Act do not affect the terms of a contract entered before the effective date of this Act, except if the contract is renewed, modified, or extended on or after the effective date.

Effective date: September 1, 2025

## **SB 2986 – Equal Access Public Facility Use by Religious Organizations**

### **Campbell**

Allows a school district, open-enrollment charter school, or institution of higher education to allow a religious organization to use the district's or school's facilities to a host religious worship, services, sermons, or assemblies only if: (1) usage does not interfere with the district's, school's, or institution's primary educational mission; (2) the religious organization pays the fair market rental value or reimbursement for utilities, security, and other costs related to use of the facilities, unless waived by the board of trustees or governing body; (3) the religious organization agrees to be held liable for damages that occurred during such usage; (4) the religious organization is subject to the same rental terms to which a nonreligious organization is; and (5) any additional requirements imposed by other law for the use of the facilities are satisfied.

Provides that a religious organization's usage of such a facility is considered to be an interference with an educational mission if: (a) the religious organization's activities took place during regular school hours; (b) the organization displayed signage, symbols, books, or flyers on the district's or school's property outside of the period during which the organization was permitted to use the facility; or (c) the district, school, institution, or employee of the district, school, or institution promoted the religious organization's use of the facilities in any manner, including by distributing information, making related announcements, or including related information on an academic calendar.

Prohibits a state agency, political subdivision, school district, or other governmental entity from imposing a penalty or sanction or denying funding to an entity based on its decision to allow a religious organization to use its facilities.

This bill is not construed to require a school district, open-enrollment charter school, or IHE to allow a religious organization to use its facilities for religious purposes if the district or school elected not to do so.

Provides that this change in law does not affect the terms of a contract entered before the effective date of this Act, except in cases if the contract is renewed, modified, or extended on or after the effective date of this Act. Changes in law made by this Act apply to the contract beginning at the date of renewal, modification, or extension.

The bill would take effect September 1, 2025.

## **CERTIFICATION**

## **HB 1178 – Temporary Educator Certifications**

### **Cunningham**

Requires SBEC to: (1) establish a temporary certificate for educators certified by other states; and (2) immediately issue a certificate to a person under the above circumstances who applies under statute for certification for educators outside the state. Permits SBEC to rescind a temporary certificate issued to a person under this section if the board determines because of a review of the person's credentials that the person does not meet the eligibility requirements. Establishes eligibility for a temporary certificate to

require a person to: (1) hold a valid non-temporary certificate or similar credential in another state that qualifies the person to be employed as an educator in that state; and (2) hold a bachelor's degree from an institution of higher education that is, and at the time the person received the degree was accredited.

Expires a temporary certificate issued under this section on the earlier of: (1) the first anniversary of the date the certificate was issued; or (2) the date the person is issued a certificate under Education Code, Section 21.052. Establishes that a temporary certificate issued under this section to an educator who is the spouse of a person serving on active duty as a member of the U.S. armed forces, as those terms are defined by Section 55.001 of the Occupation Code, expires on the third anniversary of the date the certificate was issued or a later date specified by board rule. Mandates a temporary certificate issued under this section may not be reissued or renewed. Requires SBEC as soon as practicable after the effective date to implement the temporary certificate provisions of this Act.

Effective date: Immediate

## **CURRICULUM/INSTRUCTION**

### **HB 20 – The Applied Sciences Pathway Program**

#### **Gates**

##### Establishment and Administration of the Applied Sciences Pathway Program

Requires the commissioner of education to establish and administer the Applied Sciences Pathway program to provide opportunities for students to concurrently earn a high school diploma and certificates from an IHE. Mandates the commissioner approve for participation in the program partnerships between school districts or open-enrollment charter schools and an IHE to provide courses in a non-duplicative sequence of progressive achievement that lead to: (1) a high school diploma; and (2) completion of a certification program with a successful job placement rate in high-wage, high-growth jobs in one of the following industries: (A) plumbing and pipe fitting; (B) electrical; (C) welding; (D) sheet metal; (E) carpentry; (F) masonry; (G) diesel and heavy equipment; (H) aviation maintenance; (I) heating, ventilation, and air conditioning; (J) construction management and inspection; (K) mechanical and aerospace engineering; (L) industrial maintenance and processes; (M) robotics and automation; (N) information technology and cybersecurity; (O) oil and gas exploration and production; (P) refining and chemical processes; (Q) transportation distribution and logistics; (R) manufacturing and industrial technology; (S) electronics technology; or (T) automotive technology. Allows the commissioner, beginning with the 2027-2028 school year, to revise the industries approved once every five years to reflect current labor market trends.

##### Program Partnership Requirements

Requires a partnership participating in the program to: (1) enable the district or charter to provide at least one course of study through a partnership with an IHE under the program; (2) provide for a course of study that enables a participating student in grade levels 11 or 12 to concurrently: (A) enroll in a certificate program at the partnering institution under which the student may receive instruction from an instructor employed by the institution and any appropriate work-based learning opportunities from the institution and earn: (i) a level one or level two certificate, as defined by the THECB; (ii) a credential recognized as a credential of value by THECB rule and approved by the commissioner; and (B) satisfy high school graduation requirements and receive a high school diploma; (3) require the partnering district or charter to permit all students in grades 11-12 to enroll in a course of study; (4) be governed by an institutional agreement between the partnering district or charter and institution that meets the

requirements for a dual credit partnership adopted by THECB rule; and (5) meet any other requirements established by commissioner rule.

#### Substituted Credit

Allows the commissioner to approve the substitution of a credit in a subject area required for high school graduation with a credit in a CTE course provided by an IHE under the program that substantially covers the TEKS of the course for which it is substituted. Prohibits this provision from being construed to limit the number of substituted credits a student may earn while participating in the program.

Mandates that before a student may earn substituted credit for a secondary course in English language arts, science, math, or social studies under the foundation high school program, the student must perform satisfactorily on the corresponding EOC exam for the course that precedes the course for which a student seeks substituted credit in the district's prescribed course sequence.

Prohibits a CTE course authorized as a substitute from counting: (1) for more than one credit toward the student's high school graduation requirements; or (2) as a credit for more than one subject area.

Establishes that the time a student spends participating in the program is counted as part of the minimum number of instructional hours needed for a student to be considered full time in ADA.

#### Miscellaneous Provisions

Establishes that this section may not be construed to (1) prevent a student's participation in CTE or dual credit courses before the student begins participating in the program; or (2) authorize the commissioner to require approval for partnerships between school districts or open-enrollment charter schools and an IHE for purposes other than to provide dual credit courses. Requires the commissioner to adopt rules as necessary to administer the program. Expires this section September 1, 2031. Applies this Act beginning with the 2025-2026 school year.

Effective date: Immediate

### **HB 27 – Personal Financial Literacy Course for Graduation Credit**

#### **King, Ken**

Changes the three social studies credits needed for high school graduation under the foundation high school program. Requires one credit in U.S. History. Requires one-half credit in government and one-half credit in personal financial literacy. Requires one credit in economics, world geography, or world history. Mandates TEA develop a list of free, open-sources and publicly available curricula that a district may use to provide a personal financial literacy course. Requires the SBOE in adopting rules to allow a student to comply with the one-half credit in personal financial literacy by successfully completing an AP course designated by the board as containing substantively similar and rigorous academic content. Repeals Education Code pertaining to the combination course of personal financial literacy and economics. Applies the new social studies graduation requirements only to students entering grade 9 during the 2026-2027 school year. Allows students entering a grade *above* grade 9 in the 2026-2027 school year to continue with current social studies graduation requirements. Applies this Act beginning with the 2026-2027 school year.

Effective date: Immediate

## **HB 120 – The Rural Pathway Excellence Partnership (R-PEP) Program**

**Bell, Keith**

### Academic Goals

Adds new public education academic goals to the Education Code, including a goal that students who graduate high school in the public education system will have the skills and credentials necessary to immediately enter the state’s workforce; and, that the students who graduate high school in the public education system and who elect to pursue postsecondary education will be ready for postsecondary coursework without the need for remediation.

### Posting of Postsecondary Outcomes

Requires TEA to post on its website the following de-identified data, disaggregated by school district or open-enrollment charter school, high school campus, and annual cohort for the 10 most recent annual cohorts: (1) for students who graduate from high school: (A) the number and percentage of students who enroll in remedial postsecondary coursework as part of, persist for at least one year in, or complete a postsecondary degree certificate, or other credentialing program, disaggregated by program and postsecondary educational institution; and (B) employment status, occupation, industry, wage, and county of employment and residence, as reported under Labor Code, Section 204.0025; and (2) for students who did not graduate from high school: (A) the highest grade level completed; (B) for each cohort for which data is available, employment status, occupation, industry, wage, and county of employment and residence as reported under Labor Code, §204.0025; and whether the student has earned a high school equivalency certificate.

Requires TEA to provide data regarding students who graduate from high school and enroll in remedial postsecondary coursework as part of a postsecondary degree, certificate, or other credentialing program. Mandates TEA post the data in a manner that complies with FERPA statute and may, if necessary, create a private portal for school district trustees or open-enrollment charter school governing body members, school administrators, and school counselors at a high school to access data for the member’s, administrator’s, or counselor’s district or school.

Requires TEA to ensure the posted data is made available to: (1) school district trustees or open-enrollment charter school governing body members and superintendents to assist in adopting CCMR plans; and (2) school counselors at a high school to assist the counselors in performing their duties under Education Code.

### Statewide Goal for Career Readiness

Requires TEA, using the data it posts on postsecondary outcomes, to create a quantifiable statewide goal for public school students to achieve career readiness, including by attaining a workforce-aligned credential while in high school. Mandates the agency to update the goal at least once every five years.

### CCMR Plans

Adds to the requirements for each public school board of trustees when adopting a CCMR plan. Requires trustees to include an annual goal for aggregate student growth on each CCMR indicator evaluated under the student achievement domain. Mandates the plan include specific annual goals for student completion while enrolled in high school of postsecondary credentials, including industry-based credentials, level one or level two certificates, and associate degrees, prioritizing credentials identified in the long-range master plan for higher education established under Education Code, Section 61.051, and the performance tier funding for public junior colleges for credentials of value under Education Code, Section 130A.101. Mandates the plan include annual goals for the outcomes of the district’s annual

graduates at one, three, and five years after graduation from high school, including goals for: (A) the rate of enrollment at a postsecondary educational institution; (B) the percentage of graduates who enroll at a postsecondary educational institution and do not require remedial postsecondary coursework; (C) the rate of persistence at a postsecondary educational institution in each of the first two years of enrollment; (D) the rate of completion of a postsecondary degree, certificate, or other credentialing program; and (E) wages earned. Mandates the trustees assign at least one district-level administrator or ESC employee to submit an annual report to the board of trustees, TEA, and the LBB on the district's performance and progress toward the goals set under the plan; and be reviewed and approved by majority vote annually by the trustees at a public meeting. Requires the trustees, in identifying and including goals in each plan, to use longitudinal student outcomes data and any other available resources. Mandates each district post the annual report on its website and on each available campus website not later than two weeks before the date of the public meeting at which the report is reviewed and approved. Requires the district to update the annual report on each website if any modifications are made to the report by the trustees. Mandates the commissioner by rule to establish a deadline for the submission of the annual reports, and TEA to compile and make publicly accessible on its website the reports. Permits TEA to evaluate the goals identified or included in the report to determine whether those goals align with state secondary, postsecondary, and workforce goals.

#### Financial Aid for the Swift Transfer (FAST) Program

Allows an eligible student to enroll at no cost in a dual credit course under the FAST program if the student has graduated from high school but is: (1) enrolled in a school district or open-enrollment charter school at a campus designated as a P-TECH school or in a district participating in a R-PEP program; and (2) completing a course of study offered through an articulation agreement or MOU with an IHE and the district or school under the P-TECH or R-PEP program.

#### State Plan for CTE

Amends requirements for the state plan for CTE to include procedures designed to ensure that a course of study offered under a JROTC program is considered a CTE program.

#### Subsidies for Career and Technology Education (CTE) Certification Exams

Prohibits a student from receiving more than two subsidies for certification exams. Replaces the term "cybersecurity" with "career and technology education" for the purposes of a teacher's entitlement to a subsidy if the teacher passes a CTE certification exam. Allows the subsidy amount to cover any costs paid for associated fingerprinting or criminal history record information review. Mandates a district pay the costs and submit to the commissioner a written application stating the amount of the costs to receive reimbursement.

#### Notice Regarding Military-Related Training

Requires, as part of the annual high school registration process, a district or open-enrollment charter to notify the parent or guardian of each student enrolled in a JROTC program regarding any early registration or scholarship program available to students in military-related training programs. Mandates the notice provide the student's parent or guardian with the option to share the student's data with one or more public IHEs for the purpose of learning about any opportunity to participate in an early registration or scholarship program, including: (1) the student's directory contact information; (2) the student's education records; or (3) any other information prescribed by the agency, in coordination with the THECB that would allow the student to learn about an opportunity to participate in military-related training programs at a public IHE, including financial aid or scholarship programs.

### R-PEP

Allows a school district that has participated in the R-PEP program to continue to participate regardless of the number of students in ADA in the district for the current school year. Limits grants awarded for R-PEP programs to not exceed \$5 million per school year.

### School Counselors

Requires a school counselor to provide to a student and the student's parent or guardian during the first school year of high school information about the importance of postsecondary education, including career readiness and workforce training opportunities, and a link to the My Texas Future website with information regarding how to create a profile on that website. Requires a counselor to also provide information on opportunities to complete career training and to obtain a postsecondary credential while in high school that includes information about program costs, program completion rates, and the average wages of students who complete the programs. Mandates the counselor share information on the outcomes of graduates from the student's campus and school district or open-enrollment charter school, including completion rates and average wages based on postsecondary pathways. Requires TEA to make available an annual online training on statewide trends that includes information to assist the counselors in identifying postsecondary outcomes for the students they serve. Allows TEA to make the training or other resources provided by the THECB available through the Texas Oncourse website.

### College Preparation and Career Readiness Assessments

Adds a nationally recognized career readiness assessment that measures foundational workforce skills approved by commissioner rule as an option for high school students in the spring of grade 11 or during grade 12 that a student make select, and take once, at state cost.

### Authorized Use of Local Funds

Amends authorized use of local funds to include advising support for recent graduates on postsecondary opportunities.

### FSP Benefits

Amends Education Code for the FSP by adding that a student is entitled to the benefits of the FSP if, on September 1 of the school year, the student has graduated from high school but is: enrolled in a school district at a campus designated as a P-TECH school or in a district participating in a partnership; and completing a course of study offered through an articulation agreement or MOU with an IHE and the district is participating in the P-TECH or R-PEP program, regardless of whether the student is enrolled in the district providing the course of study.

### Use of FSP for Certain Purposes

Allows a school district to use its FSP funding to (1) provide district graduates, during the first two years after high school graduation, advising support toward the successful completion of a certificate or degree program at a public institution of higher education or a postsecondary vocational training program; and (2) educate a student who has graduated from high school but is enrolled in the district in a program through which the student may earn dual credit, including the P-TECH program and the R-PEP program.

### Additional CTE Funding

Increases the amount of additional funding outside of the CTE Allotment so that a district is entitled to \$150 for each student in ADA who: (1) is enrolled in a campus designated as a P-TECH school; or (2)

completes a course of study offered under P-TECH or R-PEP, regardless of whether the student is enrolled at the district that provides the course of study.

#### Approved CTE Programs and Courses

Amends approved CTE programs by adding courses offered under a JROTC program. Amends approved programs of study to include a course sequence that provides students with the knowledge and skills necessary for success in the students' chosen careers, including the military.

#### R-PEP Allotment and Outcomes Bonus

Allows an R-PEP school district to receive funding under this section for up to 110 percent of the number of students who qualified for the school year immediately preceding the school year in which the district's enrollment first reached 1,600 or more. Prohibits the total amount of state funding for allotments and outcomes bonuses from exceeding \$20 million per year.

#### NIFA

Expands the definition of "new instructional facility" for the purposes of the NIFA to include a renovated portion of an instructional facility to be used for the first time to provide high-cost and undersubscribed CTE programs, as determined by the commissioner. Limits the NIFA amount appropriated from exceeding \$150 million in a school year. Requires the commissioner, if the total amount of allotments to which districts are entitled exceeds the amount appropriated, to (1) reduce each district's allotment; and (2) for new instructional facilities, remove a CTE program from the list of programs that qualify.

#### CTE Certification Exam Reimbursement

Entitles a district to reimbursement for a subsidy paid by the district for not more than two certification exams per student, including costs paid for associated fingerprinting or criminal history record information review. Establishes that the total amount that may be used for reimbursement for a school year may not exceed \$20 million, of which not more than \$500,000 may be used to reimburse the costs of fingerprinting or criminal history record information review. Mandates the commissioner, if the total amount to which districts are entitled exceeds the amount permitted, proportionately reduce each district's entitlement.

#### Additional Workforce Data Reporting

Amends Labor Code to require the TWC to work with employers to enhance wage filings to include information related to wage, industry, occupational field, full-time and part-time status, county of primary employment, remote work status, and other important employment information necessary to conduct the Regional Labor Demand Assessment.

#### Inventory of Certifications

Amends Labor Code by replacing industry-recognized "credentials and certificates" with industry-recognized "certification" throughout the inventory section. Adds TEA as an entity that can be consulted on the inventory.

#### Miscellaneous

Repeals Section 29.912(h) of the Education Code, which requires the commissioner to prioritize R-PEP partnerships in which districts contract with an entity that has at least two years' experience or employs an executive officer with at least two years' experience managing college and career pathways.

Requires TEA to first update the statewide goal for career readiness not later than the 2028-2029 school year. Applies the sections on dual credit enrollment, student subsidies for CTE exams, R-PEP, school counselors and career readiness assessments beginning with the 2025-2026 school year. Prevails this Act to the extent of any conflict over another Act of the 89th Legislature. Provides that amendments to Chapter 48 Education Code take effect September 1, 2025.

Effective date: Immediate

### **HB 824 – Civics Instruction**

#### **Jones, Jolanda**

Requires the SBOE, in adopting the TEKS for the government component of social studies for high school students, to develop each student's civic knowledge, including: (1) the role of governmental officials, including: (A) statewide elected officials; (B) county officials; (C) city councilors; and (D) other local governmental officials; (2) the voting process and election laws of this state; (3) the eligibility requirements to run for elected office in this state; (4) *Robert's Rules of Order*; and (5) the elected officials who represent the student at each level of government. Applies this Act beginning with the 2025-2026 school year.

Effective date: Immediate

### **SB 24 – Social Studies TEKS for Understanding of Communist Regimes and Ideologies**

#### **Campbell**

Requires the SBOE to adopt social studies TEKS for students in grades 4–12 on communist regimes and ideologies including:

- (1) the history of and tactics used by the communist movement in the U.S.;
- (2) historical events and atrocities attributable to communist regimes, including:
  - (A) the Cultural Revolution and the Great Leap Forward;
  - (B) the Holodomor, aka the Ukrainian Famine;
  - (C) the Soviet-era political purge aka the Great Terror;
  - (D) the Cambodian genocide under Pol Pot and the Khmer Rouge;
  - (E) the origins and policies of the Communist Party of Cuba;
  - (F) communist guerrilla movements in Latin America; and
  - (G) the oppression and suffering of people living under communist regimes;
- (3) a comparative analysis of:
  - (A) the ideologies of communism and totalitarianism contrasted with the U.S.' founding principles of freedom and democracy; and
  - (B) collectivist ideologies contrasted with the U.S.' founding principles of individual rights, merit-based advancement, and free enterprise;
- (4) modern threats to the U.S. and its allies posed by communist regimes and ideologies;
- (5) common economic, industrial, and political events that historically precede communist regimes and ideologies;
- (6) the evolution of communist ideologies from economic, class-based theories into broader cultural movements that divide societies and maintain collective control over individual rights;
- (7) common historical and modern methods used to spread communist ideologies, including:
  - (A) propaganda;
  - (B) public shaming tactics;
  - (C) censorship; and
  - (D) forced conformity; and
- (8) first person accounts from victims of communist regimes.



Requires the SBOE to adopt and publish standards seeking input from victims of communism and nationally recognized organizations dedicated to commemorating victims of communism. Allows the SBOE to incorporate material from existing instructional programs that provide instruction on the topic of communist regimes and ideologies. Applies this Act beginning with the 2026-2027 school year. Requires the SBOE not later than July 31, 2026, to review and revise as needed the social studies TEKS as mandated by this Act.

Effective date: Immediate

### **SB 519 – Grant Program to Promote Engagement with Texas History**

#### **Middleton**

Establishes a Texas History Grant Program in Government Code. Requires the Texas Historical Commission to create and administer the program to promote educational engagement with the history of the state. Mandates that the grants be awarded annually to nonprofit entities that: (1) host a statewide Texas history competition for school-aged students; and (2) publish works on Texas history written by students or faculty members. Requires the commission to establish procedures to administer the grant program and enter a contract that includes performance requirements with each grant recipient. Establishes that in addition to funds appropriated by the Legislature, the commission may solicit and accept gifts, grants, and donations from any public or private source. Mandates the commission establish grant application procedures not later than October 1, 2025.

Effective date: Immediate

### **SB 1191 – Standard Method for Computing a GPA**

#### **Creighton**

Requires the commissioner to develop a standard method of computing a student's high school GPA that provides for additional weight to be given to each honors course, AP course, IBC, OnRamps dual enrollment course, or a dual credit course completed by a student. Requires the method to provide for: (1) an equal amount of additional weight to be given to an AP course, IBC, OnRamps dual enrollment course, and a dual credit course not included in the Workforce Education Course Manual or its successor adopted by the THECB; and (2) the amount of additional weight to be given to a dual credit course in subdivision (1) to be different from the amount of additional weight to be given to a dual credit course included in the Workforce Education Course Manual or its successor adopted by the THECB. Requires a school district to use the standard method of computing a GPA as developed by the commissioner. Mandates the commissioner, as soon as practicable after the effective date of this Act, to develop a standard method of computing a student's GPA.

Effective date: Immediate

### **SB 1207 – Instruction on Adoption in School Parenting Awareness Programs**

#### **King, Phil**

Requires the SBOE, in conjunction with the Attorney General's Office, to include information related to adoption in developing a parenting and paternity awareness program that a district must use in its high school health curriculum. Mandates the adoption information include information about: (A) the differences between private adoption and foster care; (B) the process for adopting a child privately or through the state foster care system; and (C) adoption as an alternative to becoming a parent and the

process for placing a child for adoption. Allows additional materials or programs adopted by the district to include information regarding adoption. Applies this Act beginning with the 2025-2026 school year.

Effective date: Immediate

### **SB 1366 – Information on Work Zones in Driver’s Ed Curriculum**

#### **Nichols**

Requires the Texas Commission on Licensing and Regulation by rule to require that information on construction or maintenance work zones be included in the curriculum of each driver education course or driving safety course. Mandates the curriculum include dangers associated with violating traffic laws in construction or maintenance work zones and the penalties under Transportation Code, Section 542.404 for certain offenses committed in a construction or maintenance work zone. Requires the commissioner to adopt rules not later than May 1, 2026. Mandates each driver education safety course or driving safety course held on or after September 1, 2026, include the new curriculum.

Effective date: September 1, 2025

## **EARLY CHILDHOOD**

### **HB 117 – Governor’s Task Force on Early Childhood Education and Care**

#### **Schoolcraft**

##### Establishment of the Task Force

Establishes the governor’s task force on the governance of early childhood education and care to address the governance and operational challenges of the early childhood education system in Texas. Attaches the task force administratively to TEA.

##### Establishment of the Task Force Steering Committee

Establishes a task force steering committee membership to include: (1) the executive commissioner of the HHSC; (2) the commissioner of TEA; (3) the chair of the TWC; (4) relevant division directors; (5) TEA’s inter-agency deputy director of early childhood support. Forms the taskforce membership to include: one public school teacher certified to teach prekindergarten; one certified teacher employed by a private child-care facility or prekindergarten program; a representative from the Texas Head Start State Collaboration Office appointed by the governor; a representative from the Department of State Health Services appointed by the governor; two representatives from the Texas Early Learning Council designated by the steering committee; and at least two but not more than five individuals with knowledge of early childhood education and care or experience as a direct operator of an early childhood education and care program, including business and community leaders, representatives of nonprofit organizations, and other relevant stakeholders appointed by the governor. Mandates that the governor appoint the chair of the task force. Does not apply Education Code, Chapter 2110 (state agency advisory committees), to the size, composition, or duration of the task force.

Establishes the powers and duties of the task force to: (1) examine governance and operational challenges in the early childhood education and care system, including federal and local child-care programs and regulations governing those programs; (2) develop and recommend standards for high quality prekindergarten programs; (3) with a focus on improving government efficiency, conduct a comprehensive review of the existing functions and responsibilities of the HHSC, TEA, and TWC related to early childhood education and care; and (4) consider methods for a large-scale redesign of the

administration of early childhood programs to improve efficiency, service delivery, quality of care, and the efficient use of funding.

Requires the steering committee to align goals and metrics of the HHSC, TEA, and TWC to measure progress, including statewide data systems. Requires the HHSC, TEA, and TWC to complete and submit to the task force periodic progress reports and regularly refine statewide goals and strategic plans with evolving needs.

Requires TEA, from money appropriated or otherwise available, to pay the costs of the data system integration, research, and administration for the task force. Mandates, not later than December 1, 2026, the task force to develop and submit to the Legislature, a report that includes policy and budget recommendations designed to improve early childhood education and care governance. Abolishes the task force on September 1, 2027. Establishes that if the Legislature does not appropriate money for provisions of this Act, entities involved may, but are not required to, implement a provision using other money available for that purpose.

Effective Date: Immediate

### **HB 2310 – Plan for Early Learning Opportunities for Young Children with Disabilities**

**Ordaz**

Calls for TEA to collaborate with the HHSC and the TWC to develop and implement a strategic plan to improve early learning and educational opportunities for young children with disabilities or developmental delays. Requires those entities to: (1) develop strategies for the inclusion of children with disabilities in early childhood education settings; (2) consider topics and existing barriers to changing existing practices or policies in prekindergarten programs, early childhood special education settings, and subsidized child-care programs; and (3) coordinate with representatives of state, regional, local agencies, the governor’s Texas Early Learning Council, nonprofit entities, and social service providers. Establishes criteria that the strategic plan must include and the timeline by which the plan must be updated. Requires the initial strategic plan to be published and submitted to the governor, lieutenant governor, and speaker of the House of Representatives, not later than September 1, 2026.

Effective date: Immediate

## **ELECTIONS**

### **HB 3546 – Trustee Election Date and Terms**

**Martinez**

Authorizes school boards, not later than December 31, 2030, rather than December 31, 2023, to adopt a resolution changing the length of the terms of its trustees until the date the November election is canvassed. Allows school boards that hold their general elections on a date other than the November uniform election date to change the date of those elections to the November uniform election date.

Effective date: Immediate

### **SB 1494 – Certain Uniform Elections Allowed in Odd-Numbered Years**

**Johnson**

Changes the deadline from December 31, 2016, to December 31, 2025, by which a governing body of a political subdivision that held its general election for officers on a date other than the November uniform

election date could change the date of its election to the November election date. Provides that a governing body can change the date of its election to the November uniform election date only in odd-numbered years.

Effective date: Immediate

### **HB 3629 – Eligibility to Serve on School Board**

**Noble**

Prohibits a person required to register as a sex offender from being eligible to serve on a school board. Requires the application to run for school board to include a statement that the candidate is aware that a person is ineligible to serve as a trustee if they are a registered sex offender.

Effective date: Immediate

## **EMPLOYEE MATTERS/BENEFITS/TRAINING**

### **HB 762 – Severance Pay for Political Subdivision Employees**

**Leach**

Defines misconduct as an act or omission by an employee or contractor of a political subdivision in the performance of their duties that the governing body determines to be misconduct, which includes any finding of criminal conduct. Provides that severance pay paid from public money to an employee or contractor cannot exceed 20 weeks' worth of pay, excluding paid time off or accrued vacation leave. Prohibits any severance pay for an employee or independent contractor that is terminated for misconduct. Requires political subdivisions to post severance agreements on the political subdivision's website. Prohibits a court from issuing a writ of execution or mandamus in connection with a judgement in the action if the judgment doesn't comply with this Act. Applies to contracts entered into or an action filed after the effective date of this Act.

Effective date: September 1, 2025

### **HB 2598 – School Psychologist Licensed Under Occupation Code**

**Button**

Amends the term "licensed specialist in school psychology" with the term "school psychologist" throughout Education, Government, and Occupation Codes.

Effective date: September 1, 2025

### **HB 3372 – Prohibiting Personal Services by School District Administrators**

**Metcalf**

#### Prohibition of Personal Services

Prohibits an administrator from receiving any financial benefit for the performance of "personal services" for: (1) any business that conducts or solicits business with the school district that employs the administrator; (2) an education business that provides services regarding curriculum or administration of any school district; or (3) another school district, charter school, or ESC.

The definition of administrator for this prohibition is a person who has significant administrative duties relating to the operation of a school district, including the operation of a campus, program, or other

subdivision of the district. The term administrator does not include: (a) a school district employee whose employment contract responsibilities primarily include the in-classroom instructions of students, or (b) a trustee of a school district. Each violation carries a \$10,000 penalty to be paid to the state.

#### Exception to the Prohibition

Allows an administrator, in certain instances, to receive a financial benefit from a business that provides services regarding curriculum or administration of any school district or another school district, charter school, or ESC. Superintendents and assistant superintendents are not considered to be an administrator for purposes of this exception.

Requirements to receive a financial benefit for some administrators include: (1) a written contract describing the services to be performed must be provided to the school board where the administrator is employed and the board votes to approve the contract after determining the contract will not harm the district; the arrangement does not present a conflict of interest; and services performed by the administrator are done entirely on their personal time. These contracts are subject to disclosure under Chapter 552, Government Code (Public Information)

Effective date: Immediate

### **HB 4623 – Liability for Public Schools and Employees for Sexual Misconduct**

#### **Little**

Provides that school districts and charter schools that are grossly negligent, reckless, or engage in intentional misconduct in hiring, supervising, or employing a professional school employee are liable for an act or omission that is committed by the employee against a student for sexual misconduct or failure to report suspected child abuse or neglect.

#### Damages

A claimant who prevails shall be awarded actual damages up to \$500,00 for each claimant. Provides that these remedies are in addition to any other legal remedies.

#### Governmental Immunity and Official Immunity

Waives a school's governmental immunity to suit and from liability for purposes of this Act. Prohibits a professional school employee from asserting official immunity in an action brought under this law.

Applies only to an act or omission that occurs on or after the effective date of this Act.

Effective date: September 1, 2025

### **SB 865 – Cardiopulmonary Resuscitation, AED, and Cardiac Emergency Response Plan**

#### **Alvarado**

Establishes that this legislation may be cited as the Landon Payton Act. Adds instruction in cardiopulmonary resuscitation in addition to instruction in the use of an AED for certain school employees, volunteers, and student athletic trainers. Requires these individuals to receive and maintain certification in cardiopulmonary resuscitation in addition to certification in the use of an AED. Requires an open-enrollment charter school that receives an AED, or money to purchase or lease an AED from TEA, to adopt a policy under which the school makes available to school employees and volunteer nurses Instruction on the use of an AED.

Mandates that each school district and private school develop and implement a cardiac emergency response plan that establishes safety procedures for a district or school employee or other appropriate personnel to follow in responding to a medical emergency involving cardiac arrest on district or school grounds. Requires the district or school in developing the plan to: (1) work directly with local emergency service providers to integrate the plan with the providers' protocols; and (2) incorporate evidence-based practices of a nationally recognized, guidelines-based organization focused on emergency cardiovascular care. Mandates the plan include at a minimum: (1) the establishment of a cardiac emergency response team; (2) procedures for activating the cardiac emergency response team in response to a medical emergency involving cardiac arrest; (3) the dissemination of the plan throughout each district or school campus; (4) ongoing training in first aid, cardiopulmonary resuscitation, and use of an AED; (5) annual practice drills in responding to a medical emergency involving cardiac arrest; and (6) annual review, evaluation, and if necessary, modification of the plan. Requires a private school to develop a cardiac emergency response plan only if it receives an AED, or money to purchase or lease an AED, from TEA. Applies this Act beginning with the 2025-2026 school year. Requires, not later than the first instructional day of the 2027-2028 school year, each public school and applicable private school to implement a cardiac emergency response plan.

Effective date: Immediate

### **SB 2237 – Severance Pay for Superintendents and Executive Employees Bettencourt**

Limits severance pay for superintendents paid with tax revenue to an amount not to exceed the compensation they would have received for 20 weeks of work, excluding paid time off or vacation leave. Prohibits severance pay if terminated for misconduct, which includes any finding of criminal conduct. Requires school districts to post each severance agreement in a prominent place on the district's website.

Effective date: September 1, 2025

## **HIGHER EDUCATION**

### **SB 646 – Repayment of Mental Health Professional Education Loans West**

Amends the definition of "mental health professional" in the Education Code to include a licensed master social worker, a person who holds a licensed professional counselor associate license, a licensed marriage and family therapist associate, and a school counselor who has earned at least a master's degree related to counseling from any public or accredited private IHE.

Amends eligibility for mental health professionals who apply to the THECB to receive repayment assistance for their student loans. Expands eligibility to a mental health professional who: (1) applies to the THECB for the assistance; (2) provides mental health services to students enrolled in a public school in this state; and (3) has completed 1-3 years consecutive years of practice in this state. Allows the THECB, if in a state fiscal year not all funds have been used for this purpose, to allocate any unused funds to award repayment assistance grants to any of the mental health profession categories included in the definition of eligible professionals. Establishes parameters around the amount and limits of repayment assistance to the professionals. Allows for additional one-time repayments for professionals who serve specified populations. Permits the THECB to use appropriated funds in an amount not to

exceed \$1 million to market this program and allows the board to contract with a third party for this purpose.

Applies the changes in loan repayment eligibility to apply only to a person who first establishes eligibility based on an application submitted on or after September 1, 2025. Provides that a person who first establishes eligibility based on an application submitted before September 1, 2025, is governed by the law in effect at the time the application was submitted. Repeals Education Code, Section 61.604(e) that requires the THECB to prioritize certain mental health professionals for the loan repayment program beginning with the state fiscal year beginning September 1, 2025.

Effective date: September 1, 2025

## **SB 1241 – College Entrance Exams for Admission to Institutions of Higher Education**

### **Middleton**

Requires each general academic teaching institution to admit an undergraduate applicant if the applicant graduated in the top 10 percent of the class and meets additional criteria. Adds a new criterion for automatic admission for an applicant who achieved a score set by the THECB on a college entrance exam designated by coordinating board rule. Removes provisions that referenced certain achievement levels on the ACT and SAT assessments.

Requires the THECB to conduct a study on college entrance exams with sufficient rigor and reliability to be used as a criterion for admission to a general academic teaching institution. Mandate the study: (1) identify each college entrance exam with sufficient rigor and reliability to be used as a criterion for admission to a general academic teaching institution; and (2) determine how the score for each examination identified that demonstrates adequate performance for purposes of admission to a general academic teaching institution. Mandates the THECB submit a report on the study results and any recommendations to designated elected officials not later than August 1, 2026.

Applies changes in this Act to begin with admissions to a general academic teaching institution for the 2028 fall semester.

Effective date: September 1, 2025

## **SB 2314 – Electronic Platform and Application Form for IHEs**

### **Creighton**

Requires a student, before graduation from high school, to elect whether to opt in to allowing the THECB to share the student's data and education records as necessary with IHEs to allow the student to participate in the direct admissions program established by the THECB. Provides that a student is not required to comply if: (1) the student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit information necessary to participate in the direct admissions program; (2) the student signs and submits the form on the student's own behalf if 18 years of age or older or if the student's disabilities of minority have been removed for general purposes under Family Code; or (3) a school counselor authorizes in writing the student to decline to complete and submit the information necessary to participate in the program.

Requires each school district or open-enrollment charter school to use a form adopted by the THECB in consultation with TEA to allow a student to opt out. Mandates the form shall: (1) provide the student or

the student's parent or other person standing in parental relation, as applicable, the opportunity to elect whether to share the student's data or education records, as necessary, with IHEs to facilitate the student's participation in a direct admissions program; and (2) be made available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program in the district or school.

Requires each IHE to publish prominently on its admission application website a link to MyTexasFuture.Org or its successor electronic platform and provide notice to students that they may apply to the institution using the electronic common admission application form found in ApplyTexas.Org or MyTexasFuture.Org.

Requires the THECB to create, maintain, and administer an electronic platform and submission portal, known as My Texas Future (MyTexasFuture.Org), to facilitate the awareness and application of students into IHEs. Provides that My Texas Future, or any successor electronic platform must include: (1) a link or direct submission portal to the electronic common admission application form; (2) a direct admissions program that lists IHEs to which a student may be directly admitted based on the student's profile and information; (3) to the greatest extent possible, a list of financial aid awards that a student may be eligible to receive based on the student's profile and information; (4) the data required to assist students in assessing the value of postsecondary credentials by program.

Requires a Texas school district or open-enrollment charter school, as part of registration for high school, to annually notify, in a manner prescribed by THECB rule, each parent or guardian of a student who has earned at least three high school course credits or not later than the end of a student's first semester of ninth grade: (1) of the option to create or update annually a profile and account in My Texas Future; (2) that a student or their parent is permitted to update or revise their own profile in My Texas Future; (3) that a student or parent of a student who creates a profile and account may opt out of one or more programs; and (4) of the graduation requirements for a student or parent to indicate whether the student wishes to opt in to allowing the board to share the student's data and educational records with IHEs for the purpose of participating in the direct submissions program.

Requires TEA and the THECB to jointly prepare and post on their respective websites a publication that includes the information required to be provided in a form that enables a district or charter to reproduce the publication for distribution. Requires TEA and each Texas public school district or open-enrollment charter to make the data available to the THECB to administer this section. Allows the THECB to adopt rules as necessary. Permits the THECB to share a student's contact information in MyTexasFuture.Org with an IHE unless the student opts out of sharing the student's contact information. Establishes that any student information shared with an IHE is confidential. Requires the THECB to ensure that a student may opt out of sharing the student's contact information with an IHE. Notwithstanding any other provisions of law, except as provided by this section, information that relates to a current, former, or prospective applicant or student of an educational institution and that is obtained, received, or held by the THECB for the purpose of administering this section or otherwise providing assistance with access to postsecondary education is confidential and expected from disclosure under the Public Information Act and may be released only in conformity with FERPA. Permits the THECB to withhold information prohibited from being disclosed under this subsection without requesting a decision from the attorney general under Subchapter G, Chapter 552, Government Code.



Applies the section on direct admissions and financial aid portal at MyTexasFuture.Org beginning with the 2025-2026 school year. Applies the direct admissions data sharing opt-in election for high school graduation beginning with the 2026-2027 academic year.

Effective date: Immediate

## **INSTRUCTIONAL MATERIALS/TECHNOLOGY**

### **HB 100 – Purchase, Adoption, and Use of Instructional Materials**

#### **Leo-Wilson**

Prohibits a school district from spending IMTA funds to purchase instructional materials on the list of rejected materials maintained by the SBOE. Mandates that the board, not later than the 45th day before the date it intends to add an instructional material to the list of rejected materials, add the material to a list of proposed rejected materials and issue a proclamation requesting the revision of the applicable materials before the end of the 45-day period.

Prohibits a school district from adopting or otherwise using instructional materials included on the SBOE’s list of rejected materials. Allows a school district or open-enrollment charter school to adopt or otherwise use only an open education resource (OER) material that is not included on the SBOE’s list of rejected materials. Allows instructional materials not on the rejected list to be adopted at any time.

Prohibits a district or charter from using local funds to purchase instructional materials included on the SBOE’s list of rejected materials. Applies to instructional materials placed or maintained on the SBOE’s list of rejected materials on or after the 2025-2026 school year.

Effective date: Immediate

## **PARENTAL RIGHTS**

### **HB 2495 – Child’s Enrollment in School: Sole Managing Conservator**

#### **Dutton**

Notwithstanding a court order, allows a parent appointed as sole managing conservator of a child the right to designate the school the child will attend and to enroll the child in the school, subject to any eligibility or admissions requirement.

Effective date: September 1, 2025

### **SB 12 – Parental Rights, Prohibitions on DEI, Social Transition, and Student Clubs**

#### **Creighton**

##### Compliance with Mandatory Policy

Defines “public elementary or secondary school” as a school district and a district, campus, program, or school operated under a charter. Mandates that a public elementary or secondary school, the school’s governing body, and its employees implement and comply with each policy the school is required to adopt.

##### Infringement of Parental Rights Prohibited

Establishes that the fundamental rights granted to parents by their Creator and upheld by the U.S. Constitution, the Texas Constitution, and the laws of this state, including the right to direct the moral and

religious training of the parent’s child, the right to make decisions concerning the child’s education, and consent to medical, psychiatric, and psychological treatment of the parent’s child, may not be infringed by any public elementary or secondary school or state governmental entity, including the state or a political subdivision of the state, unless the infringement is: (1) necessary to further a compelling state interest, such as providing life-saving care to a child; and (2) narrowly tailored using the least restrictive means to achieve that compelling state interest.

### Facility Usage Report

Defines “instructional facility” as real property, an improvement to real property, or a necessary fixture of an improvement to real property that is used predominantly for teaching the required curriculum. Requires TEA by rule to require each district to annually report the following information in the form and manner prescribed by the agency: (1) the square footage of each district facility and the acreage of land on which each facility sits; (2) the total student capacity for each instructional facility on a district campus; (3) for each campus in the district: (A) the enrollment capacity of the campus and each grade level offered at the campus; and (B) the number of students currently enrolled at the campus and in each grade level offered at the campus; (4) whether a district facility is used by one or more campuses and the campus identifier of each campus that uses the facility; what each facility is used for, including: (A) an instructional facility; (B) a career and technology center; (C) an administrative building; a food service facility; a transportation facility; and (F) vacant land; and (6) whether each school district facility is leased or owned. Requires TEA to produce and make available an annual report on school district land and facilities. Allows TEA to combine reports. Establishes that if TEA determines any information in the report would create a security risk, it does not have to be disclosed in the report. Allows the commissioner to adopt rules as necessary and for determining student capacity, consideration may be given to the staffing, student-teacher ratio, and facility capacity of the district or campus.

### Prohibition on DEI Duties

Defines “diversity, equity, and inclusion duties” to mean: (1) influencing hiring or employment practices with respect to race, sex, color, or ethnicity except as necessary to comply with state or federal antidiscrimination laws; (2) promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity; (3) developing or implementing policies, procedures, trainings, activities, or programs that reference race, color, ethnicity, gender identity, or sexual orientation, except: (A) for the purpose of student recruitment efforts by colleges and universities in collaboration with school districts or open-enrollment charter schools; or (B) as necessary to comply with state or federal law; and (4) compelling, requiring, inducing, or soliciting any person to provide a DEI statement.

Provides that a school district, except as required by state or federal law: (1) is prohibited from assigning DEI duties to any person; and (2) must prohibit a district employee, contractor, or volunteer from engaging in DEI duties at, for, or on behalf of the district. Requires a district to adopt a policy and procedure for the appropriate discipline, including termination of an employee or contractor who intentionally or knowingly engages in or assigns DEI duties. Mandates the district provide a physical and electronic copy of the policy and procedures to each employee or contractor. Requires the policy and procedure to ensure adequate due process and an opportunity to appeal disciplinary actions, including termination, in the same manner provided for other disciplinary actions.

Provides that nothing can be construed to: (1) limit or prohibit a district from contracting with a HUB, or business owned by members of a minority group or by women in accordance with applicable state law; (2) limit or prohibit a district from acknowledging or reaching the significance of state and federal

holidays or commemorative months in accordance with the TEKS; (3) affect a student's rights under the First Amendment to the U.S. Constitution or Section 8, Article I, Texas Constitution; (4) limit or prohibit a district from analyzing school-based causes and taking steps to eliminate unlawful discriminatory practices; or (5) apply to: (A) classroom instruction that is consistent with the TEKS; (B) the collection, monitoring, or reporting of data; (C) a policy, practice, procedure, program, or activity intended to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, sex, color, or ethnicity; or (D) a student club that is in compliance with requirements.

#### Trustee Information

Requires that a district, not later than the 30th day after a new person is sworn in as a school trustee, post and submit the updated information to TEA. Mandates a district must annually submit to TEA for each member of the district's board of trustees, specified information about board membership. Requires the information to: (1) identify the member designated as chair; and (2) be updated as prescribed. Allows the commissioner to adopt rules.

#### Frivolous Suit or Proceeding

Allows, in a civil or administrative proceeding brought under state law or rules against a district or an officer of the district, the court or another person authorized to make decisions regarding the proceeding, to award costs and reasonable attorney fees if: (1) the court or other authorized person finds that the suit or proceeding is frivolous, unreasonable, and without foundation; and (2) the suit or proceeding is dismissed or judgement is for the defendant. Does not apply these provisions to a civil suit or administrative proceeding brought under IDEA. Establishes that a civil suit or administrative proceeding described is governed by the attorney's fees provision under U.S.C. Section 1415. Does not apply this section to a proceeding regarding the grievance procedure established by the board of trustees.

#### Assistance with Social Transitioning Prohibited

Defines "social transitioning" as a person's transition from the person's biological sex through the adoption of a different name, different pronouns, or other expressions of gender that deny or encourage a denial of the person's biological sex at birth. Requires the board of trustees to adopt a policy prohibiting an employee of the district from assisting an enrolled student with social transitioning, including by providing any information about transitioning or associated guidelines. Allows a parent of an enrolled student or a district employee to report to the board of trustees a suspected violation of the policy. Requires the board to investigate any suspected violation and determine whether it occurred. Requires the board to immediately report a confirmed violation to the commissioner.

#### Relief

Allows a parent of an enrolled student to seek relief for a violation by filing a grievance through the district's grievance procedure.

#### Open-Enrollment Charter Schools

Provides that an open-enrollment charter school is subject to a prohibition, restriction, or requirements relating to: DEI duties; parental access to instructional materials and curricula; the adoption of a parental engagement policy; parental rights to information regarding a student's mental, emotional, and physical health-related needs and related services offered by the school; and establishment of a local school health advisory council with members appointed by the governing body of the school and health education instruction.

## DOI

Amends DOI Code by adding that a local innovation plan of a DOI may not provide for the exemption of a local SHAC.

## Notification of Teacher Certification

Establishes that unless a district is already required to provide notification under ESSA, a district is not exempt from providing written notice of an assignment of a teacher who is inappropriately certified or uncertified to the same classroom for more than 30 consecutive instructional days during the same school year.

## Parental Rights

Amends Education Code on parental rights by establishing that, per Section 151.001, Family Code, a parent has the right to direct the moral and religious training of the parent's child, make decisions concerning the child's education, and consent to medical, psychiatric, and psychological treatment of the child without obstruction or interference from this state, any political subdivision of this state, a school district or open-enrollment charter school, or any other governmental entity.

Provides that unless otherwise provided by law, a board of trustees, administrator, educator, or other person must comply with the section on the prohibition of infringement of parental rights and may not limit parental rights or withhold information from a parent regarding the parent's child. Allows that a school district may not be considered to have withheld information from a parent if its actions are in accordance with privacy laws such as FERPA.

Mandates that each board of trustees develop a plan for parental participation in the district to improve parent and teacher cooperation, including in the areas of homework, school attendance, and discipline, and provide to a parent of a child on the child's enrollment in the district for the first time and to the parent of each child enrolled at the beginning of the school year information about parental rights and options, including the right to withhold consent for or exempt the parent's child from certain activities, that addresses the parent's rights and options concerning: (A) the child's course of study and supplemental services; (B) instructional materials and library materials; (C) health education instruction; (D) instruction regarding sexual orientation and gender identity; (E) school options, including virtual and remote schooling; (F) immunizations; (G) gifted and talented programs; (H) promotion, retention, and graduation policies; (I) grade, class rank, and attendance information; (J) state standards and requirements; (K) data collection practices; (L) health care services, including notice and consent; (M) the grievance procedure; and (N) special education and bilingual education and special language programs.

## Parental Right to Select Educational Setting

Establishes that a parent is entitled to choose the educational setting for their child, including public school, private school, or home school.

## Parental Entitlement

Adds that a parent is entitled to receive all written records of a district concerning their child including medical records and records related to library materials checked out by the child from a school library.

### Access to Teaching Materials

Requires each district and charter to post on the homepage of its website a notice stating that a parent of a student enrolled in the district or school is entitled to review the teaching materials and may request that the materials be made available for review.

### Required Disclosure Regarding Instructional Plan

Mandates that each school district adopt a policy to make available on its website at the beginning of each semester an instructional plan or course syllabus for each class offered by the district for that semester. Mandates the policy must: (1) require each teacher to provide before the beginning of each semester a copy of the teacher's instructional plan or course syllabus for each class for which the teacher provides instruction to district administration and to the parent of each student enrolled in the class; and (2) provide for additional copies of an instructional plan or course syllabus to be made available to a parent of a student enrolled in the class on the parent's request.

### Parental Engagement Policy

Requires each board of trustees to develop a parental engagement policy that: (1) provides for an online portal through which parents of students enrolled in the district may submit comments to campus or district administrators and the board; (2) requires the board to prioritize public comments by presenting those comments at the beginning of each board meeting; and (3) requires board meetings to be held outside of typical work hours.

### Right to Full Information Regarding Student

Establishes that, except as provided by Education Code related to child abuse reporting and programs, a parent is entitled to notification not later than one school business day after the date a school district employee first suspects that a criminal offense has been committed against the parent's child. Provides that an attempt by a school district employee to encourage or coerce a child to withhold information from the child's parent is grounds for discipline as applicable, or by the SBEC if applicable.

### Right to Information Regarding Mental, Emotional, and Physical Health and Related Services

Requires TEA to adopt a procedure for districts to notify the parent of a student enrolled in the district regarding any change in services provided to or monitoring of the student related to the student's mental, emotional, or physical health or well-being. Requires a procedure to reinforce the fundamental right of a parent to make decisions regarding the upbringing and control of the parent's child by requiring school district personnel to: (1) encourage a student to discuss issues relating to the student's well-being with the parent; or (2) facilitate a discussion. Prohibits a district from adopting a procedure that: (1) prohibits a district employee from notifying the parent regarding: (A) information about the student's mental, emotional, or physical health or well-being; or (B) a change in services provided to or monitoring of the student related to the student's mental, emotional, or physical health or well-being; (2) encourages or has the effect of encouraging a student to withhold information from the student's parent; or (3) prevents a parent from accessing education or health records concerning the parent's child. Does not mandate disclosure of information to a parent if a reasonably prudent person would believe the disclosure is likely to result in the student suffering abuse or neglect. Prohibits a district employee from discouraging or prohibiting parental knowledge or involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being. Requires any student support services training developed or provided by a district to employees to comply with any student services guidelines, standards, and frameworks established by TEA and the SBOE.

Requires a district, before the first instructional day of each school year, to provide to the parent of each enrolled student written notice of each health-related service offered at the district campus the student attends. Mandates the notice include a statement of the parent's right to withhold consent for or decline a health-related service. Provides that a parent's consent to a health-related service does not waive a requirement. Requires a district before administering a student well-being questionnaire or health screening form to a student enrolled in prekindergarten through grade 12 to provide a copy of the questionnaire or form to the student's parent to obtain consent. Establishes that this section may not be construed to: (1) limit or alter requirements of Family Code; or (2) limit a district employee's ability to inquire about a student's daily well-being without parental consent. Requires not later than June 30, 2026, TEA and SBEC as appropriate to review and revise as necessary the following to ensure compliance: (1) school counseling frameworks and standards; (2) educator practices and professional conduct principles; and (3) any other student services personnel guidelines, standards, or frameworks.

#### Consent Required for Certain Activities

Requires an employer or contractor of a school district to obtain written consent of a child's parent before they may; (1) conduct a psychological or psychiatric treatment unless it is required under state or federal special education law; (2) make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice; unless authorized by other law: (A) disclose a child's health or medical information to any person other than the child's parent; or (B) collect, use, store, or disclose to any person other than the child's parent a child's biometric identifiers; or (4) provide health care services or medication or conduct a medical procedure.

Defines "biometric identifier" as a blood sample, hair sample, skin sample, DNA sample, body scan, retina or iris scan, fingerprint, voiceprint, or record of hand or face geometry. Defines "psychological or psychiatric examination or test" to mean a method designed to elicit information regarding an attitude, habit, trait, opinion, belief, feeling, or mental disorder, or a condition thought to lead to a mental disorder, regardless of the manner in which the method is presented or characterized, including a method that is presented or characterized as a survey, check-in, or screening or is embedded in an academic lesson. Defines "psychological or psychiatric treatment" to mean the planned, systematic use of a method or technique that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

Mandates that written consent for a parent's child to participate in the district activity be signed by the parent and returned to the district. Prohibits a child from participating in the activity unless the district has received the parent's signed written consent. Provides that, for the purpose of obtaining written consent for actions that are determined to be routine care provided by a person who is authorized to provide physical or mental health-related services, the district may obtain consent at the beginning of the school year or at the time of the child's enrollment in the district. Allows the written consent to remain effective until the end of the school year in which the consent was obtained. Provides that an employee or contractor of a district is not required to obtain written consent before making a videotape of a child or authorize the recording of a child's voice if it will only be used for certain purposes.

Requires a district, before the first instructional day of each school year, to provide to the parent of each student enrolled in the district written notice of any actions the district may take involving the authorized collection, use, or storage of information. Requires the notice to: (1) include a plain language explanation for the district's collection, use, or storage of the child's information and the district's legal authority to engage in that collection, use, or storage; and (2) be signed by the parent and returned to the district. Requires a school district to take disciplinary action against an employee responsible for allowing a child

to participate in an activity if the district did not obtain written consent from the parent. Requires a school district to retain written consent as part of the child's education records. Specifies that nothing in this statute may construed to require an employee or contractor of a district to obtain the written consent of a child's parent before verbally asking the child about the child's general well-being or affect the duty to report child abuse or neglect, or an investigation of a report of abuse or neglect.

### Grievances

Requires the board of trustees of each district to adopt a grievance procedure that complies with Chapter 26A under which the board shall address each grievance that the board receives concerning a violation of a right guaranteed by this chapter, of a board of trustees' policy, or of a provision of this title. Establishes that the board of trustees is not required to address a grievance that the board receives concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by this chapter, of a board of trustees' policy, or of a provision of this title.

### Chapter 26A Grievance Policy

Adds Chapter 26A Grievance Policy to Education Code. Requires the board of trustees to adopt a grievance policy to address grievances received by the district. Requires the policy to provide for the following levels of review: (1) review by: (A) the principal of the school district campus at which the grievance is filed or the principal's designee; or (B) for a grievance that arises from subject matter unrelated to a campus, and administrator at the school district's central office; (2) if established by the policy, an appeal to an administrator at the district's central office; (3) an appeal to the superintendent of the school district or the superintendent's designee; and (4) an appeal to the board of trustees. Requires a review or appeal on a grievance to be conducted by a person with the authority to address the grievance unless a preliminary hearing is necessary to develop a record or a recommendation for the board of trustees. Allows the board of trustees to delegate the authority to hear and decide a grievance to a committee of at least three members composed only of members of the board. Establishes that for purposes of an appeal to the commissioner, a decision made by the committee is a decision of the full board.

Mandates the policy must: (1) prohibit the board of the district or a district employee from retaliating against a student or a parent of or person standing in parental relation to a student who files a grievance in accordance with the policy; (2) require a person involved in reviewing a grievance under the policy to recuse himself or herself from reviewing the grievance if the person is the subject of the grievance; (3) provide for a higher level of review if the person who would otherwise review the grievance is required to recuse himself or herself; (4) provide for the creation and retention of a record of each hearing on the grievance, including: (A) documents submitted by the person who filed the grievance or determined relevant by school district personnel; and (B) a written record of the decision, including an explanation of the basis for the decision and an indication of each document that supports the decision; (5) allow the person who filed the grievance to supplement the record, with additional documents or add additional claims; (6) allow for a member of the board to file a grievance with the district but prohibit the member from voting on matters related to that grievance; (7) allow for a remand to a lower level of review to develop a record at any time, including at the board of trustees level of review; (8) require the district to direct a grievance that is filed with the incorrect administrator to the appropriate administrator and consider the grievance filed on the date on which the grievance was initially filed; (9) require the district to issue a decision on the merits of the concern raised in the grievance, notwithstanding procedural errors or the type of relief requested; (10) unless otherwise required by law, allow for a hearing or meeting at which the grievance will be discussed to be open or closed at the request of the person who filed the grievance; and (11) for a grievance before the board of trustees of the district, require that: (A) the person

who filed the grievance be provided at least five business days before the date on which the meeting to discuss the grievance will be held, a description of any information the board of trustees intends to rely on that is not contained in the record; and (B) the meeting at which the grievance is discussed be recorded by video or audio recording or by transcript created by a certified court reporter. If a grievance is appealed to the commissioner, the commissioner may: (1) investigate an alleged violation of state or federal law regarding the confidentiality of student information, including FERPA; (2) collaborate with relevant federal agencies in an investigation; and (3) take any action necessary to compel the district, board of trustees, or district employee to comply with law. Requires each district to annually submit to TEA a report on grievances filed during the preceding year. Mandates the report include for each grievance the resolution and corrective action takes. Requires, not later than December 1 of each year, TEA to post on its website a report on grievances filed in districts the preceding year. Requires the report to aggregate data statewide and state: (1) the number of grievances filed; (2) the number of grievances resolved and the resolution of those grievances; and (3) any corrective actions taken. Allows the commissioner, if he determines that a school district educator has retaliated against a student or parent of or person standing in parental relation to a student in violation, to report the educator to the SBEC for investigation.

#### Timelines for Filing and Appeal

Requires the policy to: (1) provide at least: (A) for a grievance filed by a parent of or person standing in parental relation to a student enrolled in the school district: (i) 60 days to file a grievance from the date on which the parent or person knew or had reason to know of the facts giving rise to the grievance; or (ii) if the parent or person engaged in informal attempts to resolve the grievance, the later of 90 days to file a grievance from the 60 day timeline or 30 days to file a grievance from the date on which the district provided information to the parent or person regarding how to file the grievance; and (B) 20 days to file an appeal after the date on which a decision on the grievance was made; (2) for a hearing that is not before the board of trustees, require: (A) the district to hold a hearing not later than the 10th day after the date on which the grievance or appeal was filed; and (B) a written decision to be made not later than the 20th day after the date on which the hearing was held that includes: (i) any relief or redress to be provided; and (ii) information regarding filing an appeal, including the timeline to appeal if applicable; and (3) for a hearing before the board of trustees of the district require the board to: (A) hold a meeting to discuss the grievance not later than the 60th day after the date on which the previous decision on the grievance was made; and (B) make a decision on the grievance not later than the 30th day after the date on which the meeting is held.

#### Posting of Procedures and Forms

Requires the board of trustees to develop, make publicly available in a prominent location on the district's website, and include in the district's handbook: (1) procedures for resolving grievances; (2) standardized forms for filing a grievance, a notice of appeal, or a request for a hearing; and (3) the method by which a grievance may be filed electronically. Mandates a district submit and make available to TEA the location on the district's website at which the information is available.

#### Testimony Before the SBOE

Requires, if the commissioner finds against a district in at least five grievances during a school year, the superintendent to appear before the SBOE to testify regarding the commissioner's findings and the frequency of grievances against the district.



### Prohibition for the SBOE

Prohibits the SBOE from adopting standards in violation of Education Code, Section 28.0043 human sexuality instruction.

### Certain Instructional Requirements and Prohibitions

Amends Education Code, Section 28.0043 regarding certain instructional requirements and prohibitions against discussion of currently controversial issues of public policy or social affairs. Requires a district or open-enrollment charter school to adopt a policy and procedure for the appropriate discipline, including termination, of a district or school employee or contractor who intentionally or knowingly engages in or assigns to another person an act prohibited by this section. Requires the district or school to provide a physical and electronic copy of the policy and procedure to each district or school employee or contractor.

### Opt-in for Human Sexuality Instruction

Requires a district, before a student may be provided with human sexuality instruction, to obtain written consent of the student's parent. Mandates the consent: (1) may not be included with any other notification or request for written consent provided to the parent, other than the notice provided; and (2) must be provided to the parent not later than the 14th day before the date on which the human sexuality instruction begins.

### Restriction on Instruction Regarding Sexual Orientation and Gender Identity

Prohibits a school district, open-enrollment charter school, or a district or charter employee from providing or allowing a third party to provide instruction, guidance, activities, or programming regarding sexual orientation or gender identity to students enrolled in prekindergarten through 12th grade. Prohibits this section from being construed to: (1) limit a student's ability to engage in speech or expressive conduct protected by the First Amendment to the U.S. Constitution, or by Section 8, Article I, Texas Constitution, that does not result in materials disruption to school activities; (2) limit the ability of a person who is authorized by the district to provide physical or mental health-related services to provide the services to a student, subject to any required parental consent; or (3) prohibit an organization whose membership is restricted to one sex and whose mission does not advance a political or social media agenda from meeting on a school district or open-enrollment charter school campus.

### Notice to Parent of Unsatisfactory Performance, Conferences

Requires each board of trustees to adopt a policy that provides for at least two opportunities for in-person conferences during each school year between each parent of a child enrolled in the district and the child's teachers.

### Certain Requirements for Student Clubs

Allows a school district or open-enrollment charter school to authorize or sponsor a student club. Prohibits a school district or open-enrollment charter school from authorizing or sponsoring a student club based on sexual orientation or gender identity. A district or charter school must require the written consent of the parent of or person standing in parental relation to an enrolled student before the student may participate in an authorized or sponsored student club.

### Certification of Compliance with Certain Laws Required

Requires a superintendent of a district or open-enrollment charter school to certify, not later than September 30 of each year, to TEA that they are in compliance with Education Code Section 11.005 DEI prohibitions and Section 28.0022 prohibition on discussion of wildly debated controversial issues of

public policy or social affairs. Requires the certification to (1) be: (A) approved by a majority vote of the board of trustees or the governing body of the charter school at a public meeting that includes an opportunity for public testimony and for which notices was posted on the district's or school's website at least seven days before the date on which the meeting is held; and (B) submitted electronically to TEA; and (2) include: (A) a description of the required policies and procedures and the manner which a district or school and contractors were notified of those policies and procedures; (B) any existing policies, programs, or trainings that were altered to ensure compliance; and (C) any cost savings resulting from actions taken by the district or charter school to comply with this section. Requires TEA to post each certification received on its website.

Applies changes to a local innovation plan, as amended by this Act to apply to a plan adopted or renewed before, on, or after the effective date of this Act. Applies this Act beginning with the 2025-2026 school year.

Effective date: September 1, 2025.

## **SB 13 – School District Library Materials**

### **Paxton**

Amends the parental rights section of Education Code to establish that a parent is entitled to access records relating to school library materials their child obtains from a school library.

### Definitions

Establishes the following definitions: (1) “harmful material” has the meaning assigned by Section 43.24 Penal Code; (2) “indecent content” means content that portrays sexual or excretory organs or activities in a way that is patently offensive; (3) “library material” means any book, record, file, or other instrument or document in a school district’s library catalog. Excludes instructional material that conveys the TEKS of a subject in the school curriculum; and (4) “profane content” means content that includes grossly offensive language that is considered a public nuisance. States that nothing in this subchapter may be construed as limiting acquisition of instructional material.

### Public School Library Collection Development Standards

Requires public school library standards to include a collection development policy that: (A) prohibits the possession, acquisition, and purchase of: (i) harmful material; (ii) library material rated sexually explicit by the selling vendor; (iii) material that is pervasively vulgar or educationally unsuitable as referenced in Board of Education v. Pico, 457 U.S. 853 (1982); (iv) material containing indecent content or profane content; or (v) material that refers a person to a website containing content prohibited under this subsection, including use of a link or QR code, as defined by Health and Safety Code; (B) recognizes that obscene content is not protected by the First Amendment to the U.S. Constitution; (C) is required for all library materials available for use or display, including material contained in school libraries, classroom libraries, online catalogs, library mobile applications, and any other library catalog a student may access; (D) recognizes that parents are the primary decision makers regarding a student’s access to library material; (E) encourages schools to provide library catalog transparency; (F) recommends schools communicate effectively with parents regarding collection development; (G) prohibits the removal of material based solely on the: (i) ideas contained in the material; or (ii) personal background of the author or characters in the material; and (H) demonstrates a commitment to compliance with the Children’s Internet Protection Act (Pub. L. No. 106-554) including through the use of technology protection measures, as defined by that Act. Permits a school district to adopt additional local policies and procedures that do not conflict with other required standards.

### Parental Access to the Library Catalog and Certain Materials

Requires a school district or open-enrollment charter school to adopt procedures that provide for a parent of a child enrolled in the district or school to: (1) access the catalog of available materials at each school library in the district or school; and (2) submit to the district or school a list of library materials that the parent's child may not be allowed to check out or otherwise access for use outside of the school library. Mandates the adopted procedures allow for a parent to submit a list of library materials through: (1) an electronic or physical form; or (2) the online catalog system. Prohibits a district or charter from allowing a student to check out or otherwise use outside the school library a material the student's parent has included in such a list. Permits a district or charter to use IMTA funds for costs associated with the compliance of these requirements.

### Parental Access to Student Library Records

Requires each school district and open enrollment charter school that uses a learning management system or an online learning portal to provide to each parent of an enrolled student a record of each time the parent's child checks out a library material or otherwise uses one outside the school library. Mandates the record include the title, author, genre, and return date as applicable.

### Local School Library Advisory Council

Permits the board of trustees of each school district to establish a local school library advisory council to assist in ensuring that local community values are reflected in each library catalog. Requires a district that doesn't establish an advisory council to ensure that procedures for adding or removing library materials to or from a catalog comply with: (1) the established library standards; and (2) the advisory council meeting requirements.

Requires the board of trustees to establish a local advisory council if the parents of at least 10 percent of the students enrolled in the district or 50 or more parents of enrolled students, whichever is fewer, present to the board a petition to establish a local council. Prohibits a council established under these provisions from being abolished until the third anniversary of the date on which the council was established.

Mandates a district that establishes a council consider the recommendations of the council before: (1) adding library materials to a school library catalog; (2) removing materials from a catalog following a challenge; or (3) making changes to policies or guidelines related to a school library catalog.

Establishes advisory council duties to include recommending: (1) policies and procedures for the acquisition of materials consistent with community values; (2) to the board of trustees whether materials proposed for acquisition are appropriate for each grade level of the school for which the materials are intended; (3) if feasible, joint use agreements or strategies for collaboration between the district and local public libraries and community organizations; (4) the removal of any materials that the council determines to be harmful or containing indecent content or profane content; (5) the policies and procedures for processing challenges; and (6) the action to be taken in response to a challenge. Mandates any council recommendations adhere to approved library standards. Requires the council to consist of at least five members, with each appointed by the trustees, and with each trustee appointing an equal number of members. Mandates a majority of the voting members of the council to be persons who are parents of enrolled students and are not district employees. Establishes that one of the members will serve as council chair. Permits the board to also appoint one or more persons to serve as nonvoting members of the council from the following: (1) classroom teachers employed by the district;

(2) librarians employed by the district; (3) certified school counselors employed by the district; (4) administrators employed by the district; (5) the business community; and (6) the clergy.

Requires the council to meet at least two times each year and as necessary to fulfill council duties. Mandates for each meeting that the council: (1) at least 72 hours before the meeting: (A) post notice of the date, hour, place, and subject of the meeting on a bulletin board in the central administrative office of each campus in the district; (2) ensure the notice is posted on the district website if applicable; (2) prepare and maintain minutes of the meeting that state the subject and content of each deliberation and vote, order, decision, or other action taken during the meeting; (3) make an audio or video of the meeting; and (4) not later than the 10th day after the date of the meeting, submit the minutes and audio or video recording of the meeting to the district. Requires the district as soon as practicable after receipt to post the minutes and audio or video on the district website, if applicable.

#### Acquisition of Library Materials

Requires the board of trustees to adopt a policy for the acquisition of library materials, including procedures for the procurement of materials and the receipt of donated materials. Mandates the policy require the board to: (1) approve all materials that have been donated to or that are to be procured by a school library, with the advice and recommendations of the advisory council if established; (2) make a list of the above materials accessible for review by the public for at least 30 days before final approval; (3) approve or reject the list of materials in an open meeting; and (4) ensure compliance with approved library standards.

Entitles each member of the board of trustees to: (1) review each list of donated or proposed procured materials; and (2) propose changes to each list before the board votes to approve or reject the list. Requires the board to approve or reject a list at the first open meeting of the board held on or after the 30th day after the date the list is made accessible for review by the public. Mandates that an advisory council, if applicable, meet to determine recommendations on the materials before the date of the open meeting. Allows the local school library advisory council to meet during the period the list is available for public review. Prohibits a district from adding a donated material to the catalog or making it available for student use unless the board approves the material. Exempts these requirements from applying to library materials that have been donated or procured that: (1) replace a damaged copy of a library material with the same International Standard Book Number that is currently in the catalog; (2) are additional copies of a material with the same International Standard Book Number that is currently in the catalog; or (3) have the same International Standard Book Number and have been approved for the same grade levels by the board from a previous list of library materials. Requires TEA to adopt and make available a model policy for the acquisition of material that a school district may adopt to comply with these requirements.

#### Challenge or Appeal

Allows a parent of or person standing in parental relation to a student enrolled in a school district, a person employed by the district, or a person residing in the district to submit: (1) to the district a written challenge to any school library material in the catalog using a specified form; or (2) to the district's board of trustees an appeal of an action taken by the district in response to a written challenge.

Requires a district, not later than the fifth day after the date on which it receives a written challenge, to provide a copy of the challenge to the district's local school library advisory council if a council is established. Requires the council to make a recommendation for action by the district not later than the 90th day after the date on which the council receives the copy.

Provides that if the local council's procedures as adopted by the board permit the appointment of library material review committees that consist of persons who are not members of the council to review challenged materials, the council may base its recommendations for action on the recommendation of such a committee. Requires the committee to consist of five persons appointed by the board, a majority of whom are parents of enrolled students and are not district employees.

Requires the board of trustees to take action on: (1) a written challenge at the first open meeting of the board held after: (A) the 90th day after the date on which the district receives a written challenge; or (B) if applicable, the local school library advisory council has made a recommendation regarding the challenge; or (2) an appeal at the first open meeting of the board held after the date the appeal is filed. Requires TEA to adopt and post on its website a form to be used in making a written challenge. Mandates that each school district post the form on its website. Requires the form to mandate the person submitting the form to identify how the challenged library material violates the library standards.

Requires the board, upon taking action on a written challenge or appeal, to consider: (1) if applicable, the advice of the district's local school library advisory council; and (2) whether the library material challenged or appealed is suitable for the subject and grade level for which the material is intended, including by considering: (A) whether the library material adheres to the approved library standards; and (B) reviews, if any, of the library material conducted by academic experts specializing in the subject covered by the material or in the education of students in the pertinent subject or grade level.

Mandates that a school district that receives a challenge must prohibit enrolled students from accessing the material until action is taken in response to the challenge. Establishes that if a board of trustees removes a material from the school library catalog after the results of a challenge, the board must notify each classroom teacher at the applicable grade level that the material was determined to be inappropriate and instruct each teacher to remove any copy of the material from the teacher's classroom library, if applicable. Establishes that if the results of the challenge indicate a recommendation not to remove the material from the catalog, the board is not required to take any action in response to a written challenge submitted before the second anniversary of the date of the determination to not remove the library material.

#### Miscellaneous

Establishes legislative intent that every part of this legislation is severable from each other. Requires TEA, as soon as practicable after the effective date of this Act, to adopt and make available a model policy for the acquisition of library materials. Requires that before the first day of the 2025-2026 school year, the board of trustees of each school district adopt a policy for the acquisition of library materials. Requires the Texas State Library and Archives Commission to adopt the standards for school library collection development as required under this Act. Applies this Act beginning with the 2025-2026 school year. Prevails this Act over another Act if there is any conflict.

Effective date: September 1, 2025

#### **SB 204 – Handbook on Parental Rights Paxton**

Requires TEA to create and maintain a handbook that explains all rights of a parent regarding the education of the parent's child, including a student's rights that the parent may enforce on the student's behalf. The handbook must be: (1) written in plain language; (2) updated on an annual basis to reflect any

relevant changes in applicable law or agency guidance; and (3) made publicly available in a searchable format on the agency’s website. Requires the agency to complete the handbook by January 1, 2026.

The SBOE shall require school trustees to complete training on the rights of a parent regarding the education of the parent’s child. Requires the SBOE and TEA to develop the curriculum and materials for the training. Provides that the materials and training must be made available by April 1, 2026.

Effective date: September 1, 2025

#### **SJR 4 – Constitutional Amendment Affirming the Rights and Responsibilities of Parent Hughes**

Would amend the Texas Constitution to read as follows: To enshrine truths that are deeply rooted in this nation’s history and traditions, the people of Texas hereby affirm that a parent has the responsibility to nurture and protect the parent’s child and the corresponding fundamental right to exercise care, custody, and control of the parent’s child, including the right to make decisions concerning the child’s upbringing. The constitutional amendment will be before the voters at an election to be held November 4, 2025.

Effective date: This change requires voter approval of a constitutional amendment slated for November 4, 2025.

#### **SJR 34 – Constitutional Amendment Affirming the Rights & Responsibilities of Parents Hughes**

Amends the Texas Constitution to read, “To enshrine truths that are deeply rooted in this nation’s history and traditions, the people of Texas hereby affirm that a parent has the responsibility to nurture and protect the parent’s child and the corresponding fundamental right to exercise care, custody, and control of the parent’s child, including the decision to make decisions concerning the child’s upbringing.” This change requires voter approval of a constitutional amendment slated for November 4, 2025.

Effective date: This change requires voter approval of a constitutional amendment slated for November 4, 2025.

### **SCHOOL CHOICE**

#### **HB 2674 – Prohibiting the Regulation of Home School Programs Hagenbuch**

Prohibits the TEA, SBOE, or other education entity from adopting a rule or policy that regulates the educational program of a home school. Applies beginning with the 2025-2026 school year.

Effective date: September 1, 2025

#### **SB 2 – Education Savings Account Program Creighton**

##### ESA Program Establishment

Requires the comptroller to establish and administer an ESA program. Authorizes the comptroller to: (1) execute contracts, agreements, and other instruments for goods and services; (2) engage the services of private consultants, actuaries, trustees, records administrators, managers, and legal counsel for

administrative technical assistance; and (3) perform any duty assigned to a certified educational assistance organization.

#### Expenditures

Requires the comptroller, in his LAR for each fiscal biennium, to state the amount of money necessary for the first fiscal year of the biennium, and estimate the amount needed for the second fiscal year, to provide specified amounts for each: participating child; child on the waiting list; and child who is a sibling of a participating child and is eligible for the first time during that biennium. Notwithstanding the comptroller's LAR, the Legislature must determine and appropriate the program amount for a biennium. Limits the amount spent on the program to \$1 billion for the state fiscal biennium beginning September 1, 2025. Restricts the total amount spent on the participation of children in the program to no more than 20 percent of the amount appropriated for that school year. Requires the comptroller to ensure children who were enrolled in a school district or open-enrollment charter school for at least 90 percent of the preceding school year are prioritized.

#### Program Fund

Establishes that the program fund is an account in the GR fund composed of: (1) GR transferred to the fund; (2) money appropriated to the fund; (3) interest and other earnings attributable to the fund; (4) gifts, grants, and donations; and (5) any other money available for the program. Limits the money in the fund to be used only for specified purposes in statute.

#### Promotion of the Program

Allows the comptroller to enter into contracts or agreements and engage in marketing and advertising to promote the program using money from the program fund.

#### Certified Educational Assistance Organizations (CEAO)

Allows an organization to apply to the comptroller for certification as a CEAO. Mandates that, to be eligible for certification, an organization must: (1) have the ability to perform one or more of the duties and functions required of a CEAO; (2) be registered to do business in Texas; and (3) be able to assist the comptroller in administering the program wholly or partly, including the ability to perform specified tasks. Requires the comptroller to establish cybersecurity requirements for the CEAOs. Limits the comptroller from certifying not more than five CEAOs. Requires CEAOs to communicate specified information to parents and to raise awareness of program availability. Allows the comptroller to have a CEAO establish and maintain a program website.

#### Eligible Child

Establishes that an eligible child may enroll in the program for the semester following the semester the application is submitted if: (1) the child's parent establishes that the child is a citizen or national of the U.S. or was lawfully admitted into the U.S.; and (2) the child is eligible to attend a school district or open-enrollment charter school or to enroll in a school district's or charter school's prekindergarten program. Specifies documents that a parent may provide to establish proof of residency for eligibility purposes. Allows an eligible child to participate until the earliest of the date on which the child: (1) graduates from high school; (2) is no longer eligible to attend a school district or open-enrollment charter school or to enroll in a prekindergarten program as applicable; (3) enrolls in a school district or open-enrollment charter school in a manner in which the child will count in ADA for FSP funding; or (4) is declared ineligible by the comptroller.

### Application to the Program

A parent may apply to a CEO to enroll their child for the following semester, term, or school year as determined by the comptroller. Requires the comptroller to establish deadlines for the application form submission. Requires a CEO to fill available positions by lottery of applicants if there are more applicants than available funds. (1) Mandates applicants be prioritized in the following order: (A) siblings of participating children; (B) children to whom paragraph C does not apply; and (C) children who previously ceased participation in the program due to enrollment in a school district or charter school; and (2) within each of the groups described above in the following order: (A) children with a disability who are members of a household with a total annual income that is at or below 500 percent of the federal poverty guidelines; (B) children who are members of a household with a total annual income that is at or below 200 percent of the federal poverty guidelines; (C) children who are members of a household with a total annual income that is above 200 percent of the federal poverty guidelines and below 500 percent of the federal poverty guidelines; and (D) children who are members of a household with a total annual income that is at or above 500 percent of the federal poverty guidelines.

Requires a CEO, during the lottery process, to approve an eligible child's application and the sibling's application if received at the same time. Mandates the comptroller adopt and post rules, create an application form, and create and maintain a waiting list based on the priority lottery categories. Adds additional requirements and responsibilities for the comptroller and a CEO under this subsection.

### Program Participation

Requires a participating parent, seeking funding, to agree to: (1) request that program money be spent only for allowable expenses; (2) share or authorize sharing of required assessment results with the participant's CEO; (3) refrain from selling an item purchased with program funds; and (4) notify the participant's CEO if the child is no longer eligible to continue in the program. Requires the results of a mandated assessment be provided to the child's parent and that state and federal confidentiality laws are followed.

### Preapproved Providers and Vendors

Requires the comptroller by rule to establish a process for the preapproval of education service providers and vendors of educational products for participation in the program. Mandate the submission of applications be done on a rolling basis. Requires the comptroller to approve a provider or vendor for participation in the program if specified criteria are met. Outlines criteria for providers and vendors: (1) previously approved by TEA for supplemental special education services; (2) for a private school, demonstrates accreditation and meets additional requirements; (3) for a school district or open-enrollment charter school, demonstrates accreditation and meets additional requirements; (4) for a private tutor, therapist, or teaching service, demonstrates specified requirements have been met; (5) for an IHE provider, demonstrates nationally recognized postsecondary accreditation; or (6) for a private provider, serving children in pre-Kindergarten or Kindergarten, demonstrates that the provider meets requirements under Section 29.171 of the Education Code.

Mandates the comptroller approve only an education service provider located in Texas or vendor of educational products registered to do business in Texas. Requires an education provider or vendor to provide information to the comptroller to verify eligibility for preapproval, and to submit documentation demonstrating that each employee who will interact with a child is not identified as having engaged in certain misconduct. Mandates the comptroller or his designee review the documentation.



Mandates an education service provider or vendor agree to: (1) abide by the established disbursement schedule; (2) accept money only for approved education-related expenses; (3) notify the comptroller not later than the 30th day after the date that the provider or vendor no longer meets requirements; and (4) return any money received, including interest, in violation of this subchapter or other relevant law to the comptroller for deposit into the program fund. Allows a preapproved provider or vendor to participate until program requirements are no longer met, or this subchapter or other relevant law is violated.

#### Provider and Vendor Suspension and Removal

Requires the comptroller to immediately suspend a preapproved provider or vendor on finding that the entity is ineligible for participation or has failed to remain in good standing with noncompliance of a program requirement or other applicable law. Prohibits payment to a suspended provider or vendor. Outlines actions that the comptroller must take upon suspension of an entity under these circumstances. Allows the provider or vendor 30 days to respond and take any corrective action required to comply with the program and applicable law.

#### Approved Education Expenses

Allows a parent of a participating child to request that program money be spent only for: (1) tuition and fees; (2) purchase of textbooks, other instructional materials, or uniforms required by a private school or IHE provider; (3) fees for classes or services provided by a school district or open-enrollment charter school if they don't qualify the child to be included in ADA; (4) costs related to academic assessments; (5) fees for services provided by a private tutor or teaching service; (6) fees for transportation; (7) fees for educational therapies or services; (8) costs of computer hardware, software, or other technological devices; and (9) cost of breakfast or lunch provided to a child during the school day at a private school. Establishes provisions to prevent program money from being used to pay a participant's relative or to pay for expenses not allowed in the program.

#### Program Expenditures

Requires the comptroller to disburse money from the program fund to each CEO for each participating child served by the CEO. Mandates the parent of the participating child initiate payment to a provider or vendor by submitting a request form to the CEO that serves the child. Establishes other protocol and requirements for program expenditures and the CEO.

#### Amount of Transfer to Participate Account: Financing

Requires a CEO to transfer money from a participating child's account to be held in trust for the benefit of the child in an amount equal to: (1) 85 percent of the estimated statewide average amount of state and local funding per student in ADA for the most recent school year; or (2) for a child with a disability the sum of the amount described above along with funding the child would be entitled to receive based on the child's IEP and other related entitlements. Prohibits the amount transferred to the account of a child with a disability from exceeding \$30,000. Prohibits a participating home-schooled student from receiving transfers to their account that exceed \$2,000 per school year.

Requires the commissioner, in determining the estimated statewide average amount of local and state funding per student in ADA for a school year to: (1) make the determination not later than January 15 preceding the school year; and (2) include projected state and local funding under Chapters 48 and 49 of the Education Code and the amount the state is required to contribute to TRS for the school year.

Requires the comptroller to prorate a child's amount if the child enrolls in the program after the beginning of the school year. Mandates that any remaining money in a child's account at the end of a

fiscal year is carried forward to the next fiscal year unless another provision mandates the closure of the account. Allows a parent of a child participating in the program to pay expenses of educational programs, services, and products not covered by money in the child's account. Establishes other parameters for transfer of money for the program.

#### Enrollment in Public School

Establishes that if a child ceases participation in the program during a school year due to enrollment in a school district or open-enrollment charter school: (1) the district or charter is entitled to receive, in addition to other funding to which the district or charter is entitled to receive for the child, an allotment in an amount equal to the BA multiplied by 0.1 for the child's ADA for that school year; and (2) the child may not be considered in evaluating the performance of a district or charter under the public school accountability system for the first school year after the child ceases participation in the program.

#### IEP Evaluations

Allows the parent of a child not enrolled in a school district or open-enrollment charter school to request that a district conduct a full individual and initial evaluation of the child for purposes of determining eligibility for: (1) special education services; and (2) participation in the program as a child with a disability. Mandates a district that receives a request to follow procedures for timely completion for a full evaluation in accordance with federal and state statute not later than the 45th school day after the date the district receives the parental consent to conduct the evaluation. Requires the district to develop an IEP if the results of the evaluation show the child is eligible for special education services. Mandates a district or charter provide to TEA a child's IEP developed under this section. Allows TEA to adopt rules.

#### Administration of Accounts

Requires a CEO to hold money distributed by the comptroller for purposes of making transfers to the accounts of participating children. Establishes a timeline for a CEO to make a transfer to a child's account. Allows the comptroller to deduct from the total amount of money appropriated an amount not to exceed 3 percent of that total amount to cover costs of administering the program. Establishes a timeline for a CEO to verify a child's continued eligibility and participation in the program and to notify the comptroller of its findings. Requires the comptroller to adopt rule to establish a process in which a parent may authorize the comptroller or a CEO to make a payment directly from the participant's account to a preapproved provider or vendor. Requires an account to be closed and remaining funds to be returned to the comptroller after a child is no longer eligible to participate and payments for program expenses have been completed. Requires a CEO each quarter to return any interest or earnings to the comptroller for deposit in the program fund.

#### Auditing

Requires the comptroller to contract with a private entity to audit accounts and program participant eligibility data not less than once per year to ensure compliance with applicable law and program requirements. Mandates the audit include a review of each CEO's internal controls over program transactions and compliance with program requirements. Outlines the authority of the private entity in conducting the audit and the information the entity must report to the comptroller.

Requires the state auditor to audit each CEO compliance with duties to verify a child's eligibility and verify that a request for payment is for an approved program expense. Lists documentation that a CEO must submit to the state auditor. Establishes the state auditor's authority and duties. Requires each education service provider to provide to the state auditor proof of a third-party audit or financial review consistent with the provider's accreditation commission standards.

### Suspension of Account

Mandates the comptroller suspend the account of a participating child who fails to remain in good standing and in compliance with law or program requirements. Establishes procedures the comptroller must follow and information that must be relayed in notifying the participating parent that the account has been suspended. Requires the comptroller on the expiration of a 30-day period of suspension to: (1) order closure of the suspended account; (2) order temporary reinstatement; or (3) order full reinstatement. Authorizes the comptroller to recover program funds that were not used for allowable expenses and deposit into the program fund.

### Tuition and Fees: Refund Prohibited

Prohibits an education service provider or vendor from: (1) charging a participating child an amount greater than the standard amount charged for that service or product; and (2) rebating, refunding, or giving credit to a program participant, or any person on behalf of a participant, any program money paid or owed by the participant to the provider or vendor.

### Referral to District Attorney

Requires the comptroller upon obtaining evidence of fraudulent use of an account or money distributed under the program or any other violation of law by a program stakeholder to notify the appropriate local county or district attorney with jurisdiction over: the principal place of business of the organization or provider or vendor; or the residence of the program participant.

### Special Education Notice

Requires a CEO to post on the program website and to provide to each parent who applies to the program, a notice that states that a private school is not subject to the same federal and state laws regarding educational services to a child with a disability in the same manner as a school district or open-enrollment charter school. Mandates the notice also provide information regarding the rights a child is entitled to under IDEA if the child attends a school district or open-enrollment charter school. Requires a private school in which a child with a disability enrolls under the program to provide the participating parent the same notice.

### Program Participant, Provider, and Vendor Autonomy

States that an education service provider or vendor who received money from the program is not considered a state actor based on receiving that money. Establishes boundaries between the state and the service provider or vendor participating in the program.

### Student Records and Information

Requires a school district or open-enrollment charter school that the child would otherwise attend to provide the child's records to the participating parent, or if applicable, the private school the child attends, upon request. Requires, for eligibility verification purposes, a district, charter or TEA to provide available information to a CEO. Mandates a CEO comply with state and federal confidentiality law and prohibits a CEO from selling or distributing information regarding a participating child without the participant's consent. Establishes that a student record held by the comptroller or a CEO is confidential and not subject to disclosure under the Public Information Act in Government Code.

### Gifts, Grants, and Donations

Allows the comptroller to solicit and accept gifts, grants, and donations from any public or private source for program expenses.

### Annual Report

Requires the comptroller, in collaboration with TEA and the CEAOs, to compile program data and produce an annual longitudinal report regarding specified aspects of the program. Mandates that the comptroller use appropriate analytical and behavioral science methodologies to ensure public confidence in the report and comply with FERPA requirements. Outlines additional report requirements. Requires the state auditor to review and verify the validity of the report content.

### Collection and Reporting of Demographic Information

Requires the comptroller, in collaboration with TEA and the CEAOs, to collect and report demographic information regarding each participating child. Specifies demographic information the report must include. Requires the comptroller, not later than August 1 of each year, to submit a written report to the Legislature summarizing the demographic information.

### Rules: Procedures

Requires the comptroller to adopt rules and procedures as necessary to implement, administer, and enforce this subchapter.

### Appeal: Finality of Decisions

Allows a program participant to appeal to the comptroller an administrative decision made by the comptroller or a CEAO, including a decision regarding eligibility, allowable expenses, or the participant's removal from the program. States that an appeal does not constitute a contested case for any purpose. States that this subchapter may not be construed to confer a property right on a CEAO, service provider, vendor, or program participants. Provides that a decision made by the comptroller is final and not subject to appeal.

### Right to Intervene in Civil Actions

Permits a program participant, eligible child, service provider, or vendor to intervene in any civil action challenging the constitutionality of the program. Provides that a court in which a civil action is filed may require all program participants, eligible children, providers, and vendors wishing to intervene to file a joint brief. Prohibits those stakeholders from being required to join a brief filed on behalf of the state or a state agency.

### Miscellaneous Provisions

Mandates that TEA provide access to the Registry of Persons Not Eligible for Employment in Public Schools to the comptroller for the purpose of preapproving education service providers and vendors of educational products. Amends the Government Code to entitle the comptroller to obtain criminal history record information about a person who is an employee of a service provider or vendor who intends to provide educational services to a child participating in the program. Applies the Health and Safety Code for the interagency reportable conduct search engine to the comptroller. Adds timelines for the different sections of this Act, including the adoption of rules and implementation dates. Addresses constitutionality of this Act. States that the intent of the Legislature regarding every part of this Act is severable from each other.

Effective date: September 1, 2025

## **SB 569 – Virtual Education**

### **Bettencourt**

Repeals and moves various sections of state law related to virtual and hybrid campuses based on recommendations from the Commission on Virtual Education. Provides rulemaking authority to the commissioner of education and requires the commissioner to consult with school districts, charter schools, and parents in adopting those rules. Requires TEA to form an advisory committee to assist with the rulemaking requirements.

Maintains that school districts are not required to provide a student with home computer equipment or internet access but does not prohibit it. Allows students enrolled in virtual or hybrid courses to participate in the extracurricular activities by the district or in UIL as do traditional students in the district.

Allows a consortium of school districts or charter schools, IHEs, or ESCs to be virtual providers. Sets out reporting and verification of attendance by providers and requires certain procedures be followed.

Requires TEA to publish a list of virtual courses offered by districts and charter schools that includes: (1) whether the course is available to a student who is not enrolled in the offering districts or charter school; (2) the cost of the course; and (3) information related to any third-party provider who will offer the course.

Authorizes school districts or charter schools to operate a full-time hybrid campus or a full-time virtual campus if approved by the commissioner. Sets guidelines that must be followed related to state assessments, including testing at enough grade levels for the commissioner to annually evaluate student performance, or another performance evaluation approved by the commissioner if the entity doesn't offer the grade level requirements above. Gives the commissioner authority to revoke the operation of a virtual campus.

Sets forth eligibility requirements for students and prohibits school districts from requiring a student to enroll in a full-time hybrid or full-time virtual campus. Creates funding computations. Applies beginning with the 2025-2026 school year.

Effective date: Immediate

## **SCHOOL FINANCE/BONDS/TAXES**

### **HB 9 – Business Personal Property Tax Relief**

#### **Meyer**

Authorizes the Legislature to exempt \$250,000 of tangible personal property that is held or used to produce income as a part of the business from property taxes. Applies only to ad valorem taxes imposed for tax years that begin on or after the effective date of this Act. This change requires voter approval of a constitutional amendment slated for November 4, 2025.

Effective date: January 1, 2026 (pending voter approval)

### **HB 4236 – Task Force to Evaluate School District Property Value Study**

#### **Martinez Fischer**

Creates a task force to examine the use and effect of the school district property value study and develop recommendations on the elimination or replacement of the study and alternative methods by which the

purpose of the study could be accomplished. The group will have six members, including three members from the Senate appointed by the lieutenant governor and three members of the House of Representatives appointed by the speaker. Authorizes the group to request relevant information from the comptroller, TEA, appraisal districts, and taxing units. Requires the group to produce a report on the use and effect of the study and any recommendations by December 1, 2026.

Effective date: September 1, 2025

### **SB 23 – Increasing Elderly and Disabled Residence Homestead Exemption Bettencourt**

Increases the additional homestead exemption for those 65 or older and disabled Texans from \$10,000 to \$60,000 and provides a hold harmless for school districts. Applies beginning with the 2025-2026 school year. This change requires voter approval of a constitutional amendment slated for November 4, 2025.

Effective date: Immediate (upon voter approval)

### **SB 843 – Bond, Tax, and Project State Database Kolkhorst**

Requires TEA to develop and maintain a database that includes current information regarding school district and charter school bonds, taxes, and bond-related projects. Provides that each bond planned, proposed, or issued by a school district must include the following information: (1) the language of the ballot proposition; (2) projected interest and sinking fund tax rate associated with a proposed bond; (3) the result of the election for the proposed bond; (4) a list of the projects to be funded by the bond; (5) an accounting of the use of the proceeds of any issued bond, including descriptions of any projects paid for with the proceeds; (6) other data related to capital projects, such as new or renovated facilities funded wholly or partly using the bond, including data regarding funding sources for the projects, project costs, project budgets, and project size; and (7) any increase in the interest and sinking fund tax rate resulting from the issued bonds.

Other information for the database includes: (1) maintenance taxes that have been levied or proposed by a school district, each school district's proposed or approved tax rate and the language of the ballot proposition; (2) the results of any election, including the tax rate proposed by the school district for purposes of the election; (3) a report generation function to allow TEA to generate information for each school district and charter school, disaggregated by geographic area; and (4) a function that allows for the proposal of updates or corrections to the information included in the database.

Requires school districts to provide TEA with the information above and any other information requested by the agency for the purpose of maintaining the database. The agency must transmit the information above to the Bond Review Board to satisfy the local government reporting requirements under Section 1231.025 of the Government Code. Provides TEA with rulemaking authority to implement the bill. Allows TEA to contract with a third party as necessary to develop and maintain the database.

Effective date: September 1, 2025

## **SB 991 – Chronically Absent and Truant Student at Risk of Dropping Out of School**

### **Bettencourt**

Defines a chronically absent student for PEIMS purposes as one who is absent from school more than 10 percent of the school's required operation and instructional time within a school year, or an enrollment period that exceeds 30 instructional days. Adds to the definition of a student at risk of dropping out of school a student who is chronically absent as defined above or fails to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year. Requires TEA to annually aggregate at the campus and district levels and make publicly available the data on truancy and student chronic absenteeism.

Effective date: September 1, 2025

## **SB 1453 – Current Debt Rate and Tax Rate**

### **Bettencourt**

Renames the term “current debt” to “current debt service” and changes the definition to mean the minimum dollar amount required to be expended for debt service for the current year.

Authorizes a governing body of a taxing unit to approve a debt rate that exceeds the debt rate for the taxing unit for calculating the debt rate if at least 60 percent of the governing body's members approved a motion that: (1) states the determined and proposed rates and the difference between the two rates; and (2) describes the purpose for which the excess revenue collected from the proposed rate will be used.

Provides that if the governing body of a taxing unit approves the rate above for a tax year, that rate approved is the current debt rate of the taxing unit for that tax year. The person charged with calculating the voter-approval tax rate must recalculate that rate to account for the new current debt rate, and that recalculated voter-approval tax rate is the voter-approval tax rate of the taxing unit for that tax year.

Applies only to ad valorem taxes imposed for a tax year that begins on or after the effective date of this Act.

Effective date: January 1, 2026

## **SB 1502 – Tax Rate that Exceeds Voter Approval Tax Rate (VATR)**

### **Bettencourt**

Prohibits a board of trustees of a school district from adopting, without an election, a tax rate in response to a disaster that has impacted the district, for a tax year in which: (1) the governing body previously adopted a tax rate that exceeded the district's voter-approval tax rate; (2) an election was held for the purpose of determining whether to approve the district's adopted tax rate; and (3) the proposition to approve the district's adopted tax rate was not approved by the voters of the district at the election. Change in law made by this Act applies only to an ad valorem tax year that begins on or after the effective date of this Act.

Effective Date: January 1, 2026

## **SB 2185 – Bilingual Education Allotment**

### **Hinojosa, Adam**

Authorizes public school districts to receive an additional bilingual education allotment if the district offers TEA-approved alternative language education methods for bilingual students. Provides for an allotment of 0.15 for an emergent bilingual student if the student is an alternative language education method student using a dual-language immersion/one-way or two-way program model and 0.05 for a student who is not an emergent bilingual student if the student is in an alternative language education method using a dual-language immersion/one-way or two-way program model. Caps funding at \$10 million per biennium. Allows TEA to require additional information be reported through PEIMS as specified by the agency. Requires TEA to review school districts that offer alternative language education methods. Removes “salary supplement for teachers” under allowable uses of the funds and replaces it with, “teacher salary” as an allowable use of funds.

Effective date: September 1, 2025

## **SB 2529 – Calculation of Taxes by School District of the Elderly or Disabled**

### **Bettencourt**

Provides that in the tax year immediately following the first tax year an individual qualifies for a residence homestead for an individual who is disabled or elderly after the beginning of that first tax year, provided that the homestead remains eligible for that same exemption in that following tax year, the amount of the limitation is equal to the lesser of the following: (1) the amount of the limitation for that tax year as computed under provisions prescribing the method of computation of the amount of the limitation if in the 2024 or a subsequent tax year an applicable elderly or disabled individual qualifies for the limitation; or (2) the amount of tax imposed by the district on the residence homestead, calculated without regard to the limitation on tax increases provided by the applicable state law, in that tax year. Applies only to ad valorem taxes imposed for a tax year beginning on or after the effective date of this Act.

Effective date: January 1, 2026

## **HJR 1 – Business Personal Property Tax Relief**

### **Meyer**

Proposes a constitutional amendment allowing up to a \$250,000 exemption of tangible personal property held or used by a business to produce income. The constitutional amendment goes before Texas voters on November 4, 2025.

Effective date: This change requires voter approval of a constitutional amendment slated for November 4, 2025.

## **SJR 2 – Increase in the Homestead Exemption**

### **Bettencourt**

Would amend the Texas Constitution to increase the school district residence homestead tax exemption from \$100,000 to \$140,000. Takes effect for the tax year beginning January 1, 2025. The constitutional amendment will be before the voters at an election to be held November 4, 2025.

Effective date: This change requires voter approval of a constitutional amendment slated for November 4, 2025.



## SCHOOL SAFETY

### **HB 33 – Active Shooter Incidents at School Facilities and Other Emergencies**

#### **McLaughlin**

Creates the Uvalde Strong Act. Adds additional requirements for emergency operations plans for school districts.

Requires school districts to ensure the use of standardized response protocol terminology, developed in coordination with the Texas School Safety Center (TSSC), to facilitate communication between law enforcement, emergency services, district employees, and the public.

If a school district constructs, acquires, renovates, or improves a district facility, the district must, as soon as practicable, conduct a security review of the facility to: (1) determine whether the facility meets school safety and security requirements, and (2) identify security vulnerabilities at the facility in the event of an active shooter incident and describe strategies to mitigate each vulnerability identified.

#### Availability of Breaching Tool and Ballistic Shield

Requires at least one breaching tool and ballistic shield be available for use at each campus in the event of an active shooter incident.

#### Advanced Law Enforcement Rapid Response Training Center

Creates the Advanced Law Enforcement Response Training Center at Texas State University in San Marcos. Requires the center to create a template for use by a local law enforcement agency or emergency medical services provider in evaluating and reporting on the agencies or provider's response to an active shooter incident at a primary or secondary school. Directs the center to develop a training program for peace officers and emergency medical services personnel for responding to active shooter incidents at schools.

#### Public Information Officers – Certification and Continuing Education

Requires school districts and charter schools who employ or appoint a public information officer who must obtain certification in emergency communications from TDEM and complete continuing education on emergency communications. Provides that these public information officers must: (1) obtain certification not later than the first anniversary of the date they were hired or appointed; and (2) complete a continuing education program once during each 12-month period beginning on their hire date.

#### Guide on Preparing and Responding to Active Shooter Incident

Requires TDEM and others to develop a guide on preparing for and responding to an active shooter incident at a school facility for civic, volunteer, and community organizations. Requires the guide be posted on TDEM's website for public use.

#### Evaluation and Report on Response to Active Shooter

Requires local law enforcement agencies who are authorized to employ or appoint peace officers who respond to an active shooter incident at a school to: (1) initiate an evaluation of their response to the incident and submit a preliminary report to TDEM and to the Advanced Law Enforcement Rapid Training Center at Texas State University within 45 days, or as soon as practicable; and (2) finalize and submit the report not later than the 90<sup>th</sup> day after the incident, or as soon as practicable.

Requires TDEM and TSSC to define “active shooter incident” to align with the term used by the Federal Bureau of Investigation (FBI). Information obtained or created by TDEM or DPS in carrying out their obligations under law are confidential and not subject to disclosure under Chapter 552, Government Code (Public Information). Meetings between a law enforcement agency or an emergency medical provider are not subject to open meetings requirements under Chapter 551, Government Code (Open Meetings).

#### Training on Responses to Active Shooter Incidents at Schools

Directs the Texas Commission on Law Enforcement (TCOLE) to require peace officers of each local law enforcement agency to complete a training program for responding to active shooter incidents at schools.

#### Complex Emergency Response and Investigation Planning for DPS and Certain Political Subdivisions

In cases in which mutual aid and support is required from more than one governmental entity, DPS must consult with the sheriff of each county where schools are located to determine which governmental entities are likely to employ a first responder who would respond to an incident at a school. Requires DPS, the sheriff, and governmental entities, and the responders identified by the sheriff to collectively participate in a multiagency tabletop exercise at least once each odd-numbered year and an in-person drill at least once every even-numbered year. Allows DPS to include any appropriate federal agency in these exercises.

#### Mutual Aid Agreements Between DPS and Local Law Enforcement Agencies

Requires DPS and governmental entities identified by a sheriff to collectively enter into a mutual aid agreement that establishes the procedures for the provision of resources, personnel, facilities, equipment, and supplies in response to critical incidents in a vertically integrated fashion.

#### School Safety Meetings

Requires the sheriff to call and conduct an annual meeting (not semiannual) to discuss: (1) school safety; (2) coordinated law enforcement response to school violence incidents; (3) law enforcement agency capabilities; (4) available resources; (5) emergency radio inoperability; (6) chain of command planning; and (6) each public school’s multihazard emergency operations plan, including a discussion and analysis of how the school’s plan would be implemented in an emergency situation. In a county with a population above 350,000 the following school district personnel are added to the list of attendees required to attend these meetings: (1) police chief of the district or their designee; (2) the chief administrative officer of the law enforcement agency providing contracted law enforcement services to the school district; (3) the superintendent of each school district in the county, and (4) any other persons the sheriff considers appropriate.

Effective date: Immediate

### **HB 121 – School Safety Requirements for School Districts** **King**

#### Alternative to Having a Required Armed Security Officer at Each Campus

Allows an alternative to school districts that have claimed a good cause exception when the district is unable to comply with having an armed guard on every campus. Provides that the alternative standard will allow the employee to complete training by a certified instructor at Texas State University in: (1) school safety and emergency management; (2) crisis intervention; (3) incident command; (4) first aid administration; (5) mental health; and (6) qualifications related to the carrying or use of a firearm.

Provides that a good cause exception expires on the first anniversary of the date the exception is claimed. On expiration of the exception, school boards must reevaluate whether the board is able to comply with this law, and if not, renew: (1) the claim for the exception; and (2) the alternative standard developed.

#### Agency Inspectors

Allows TEA to employ inspectors only for the purpose of: (1) assisting the agency in monitoring school district safety and security requirements; and (2) coordinating with local, state, and federal law enforcement during an event requiring an emergency response by a school district.

#### Agency Report on School Safety

Requires TEA to prepare and submit a report to the governor, lieutenant governor, the speaker of the House and others that includes the deidentified results of the vulnerability assessments and intruder detection audits from the preceding year. Provides the report must include recommendations and possible corrective actions for specific deficiencies in campus security identified at multiple school districts and charter schools. The report is due by December 31 of each year.

#### Special Education Student Subject of Threat Assessment

Requires one of the following persons who has specific knowledge of a student's disability and the disability's manifestations to be on the threat assessment team: (1) special education teacher who provided instruction to the student; (2) a licensed behavior analyst; (3) a licensed clinical or master social worker or a licensed school psychology specialist.

#### Emergency Response Map and Walk-Through

Requires school districts and charter schools to provide the map to each emergency services district located in whole or in part within the school district or geographic area served by the charter school.

#### Resources on Safe Firearm Storage

Provides that school districts are required, at least three times each school year, to provide information and resources regarding safe firearm storage procedures to the parent or guardian of a student enrolled in the district.

#### School Safety and Security Facility Standards - Good Cause Exception

Provides that a good cause exception claimed by a school district in this instance expires on the fifth anniversary of the date in which the exception was claimed. Upon expiration, school districts must reevaluate whether the district is able to comply with each school facility standard related to safety and security, and if not, renew: (1) the claim for an exception; and (2) the alternative performance standard developed by the district.

#### Use of Funds Allocated for the School Safety Allotment

Adds interior doors and windows to the list of allowable uses of the school safety allotment.

This Act applies beginning with the 2025-26 school year.

Effective date: Immediate

## **HB 1458 – Required Armed Security Officers at Schools and Reserve Police Officers**

### **Metcalf**

Allows a school board to authorize a school district chief of police to appoint reserve police officers for the district. Provides that the board can limit the number of reserve police officers the chief may appoint. Reserve police officers serve at the discretion of the chief of police and may be called into service at any time. Allows the chief of police to authorize a reserve police officer to carry a weapon or act as a peace officer as needed.

Provides that a reserve police officer who does not hold a permanent peace officer license may act as a peace officer only if the officer has fulfilled applicable requirements in statute and during the actual discharge of official duties.

A reserve peace officer on active duty and engaged in assigned duties has the same rights, privileges, and duties of any other peace officer of the state. Reserve police officers, regardless of whether they hold a permanent peace officer license, are not eligible for participation in any program provided by TEA or the board of trustees that is normally considered a financial benefit for full-time employment or for any pension fund created for the benefit of full-time paid peace officers.

Effective date: September 1, 2025

## **SB 57 – Safety for Individuals with Disabilities During a Drill, Disaster, or Emergency**

### **Zaffirini**

Requires a school district to include in its multi-hazard emergency operations plan provisions for ensuring that students and districts are provided equal access to safety during a disaster or emergency based on the recommendations and guidelines established by the commissioner.

### Commissioner Rule

Requires the commissioner by rule to establish: (1) recommendations regarding accommodations for a student with an IEP or Section 504 plan during a mandatory school drill; and (2) guidelines for: (A) the documentation of accommodations for a student described by Subdivision (1) in the provisions of a school district's multi-hazard operations plan to ensure the safety of students and district personnel with disabilities or impairments during a mandatory school drill or a disaster or emergency; (B) required communications between campus administrators and staff regarding the accommodations; and (C) required communications between campus administrators and the school district's school safety and security committee regarding students or district personnel with disabilities or impairments for purposes of providing recommendations for updating the multi-hazard plan. Mandates the commissioner, in establishing recommendations and guidelines, consult with public school administrators who work with students with disabilities or impairments. Replaces references to "agency" guidelines with "commissioner" guidelines. Requires the commissioner as soon as practicable after the effective date of this Act, but not later than June 1, 2026, to adopt rules establishing the required recommendations and guidelines.

### School Safety and Security Committee

Amends requirements for the composition of a district's school safety and security committee to include two or more designees of the district's superintendent, one of whom must be a classroom teacher in the district and one of whom must be an administrator of special education in the district. Adds a requirement that the committee, in developing plans, include recommended accommodations for a student with an IEP or Section 504 plan. Mandates the committee meet at least once during each

academic semester and at least once during the summer and as necessary to provide recommendations, based on communications with campus administrators, for updating the district multi-hazard plan to include recommended accommodations for a student with an IEP or Section 504 plan. Requires the committee to meet in executive session when discussing information regarding a student's IEP or Section 504 plan.

Effective date: Immediate

### **SB 260 – School Safety Allotment (SSA)**

#### **Huffman**

Increases the SSA from \$10 to \$20 per student in ADA and increases per-campus funding from \$10,000 to \$33,540.

Effective date: September 1, 2025

### **SB 870 – Open Carry by Uniformed School Marshal**

#### **Birdwell**

Allows a school marshal that is wearing a uniform identifying them as a school marshal to openly carry a handgun on the marshal's person. Applies beginning with the 2025-2026 school year.

Effective date: Immediate

### **SB 1858 – Bullet Proof Vest and Body Armor Grant Program**

#### **Hagenbuch**

Defines a law enforcement agency for purposes of the bulletproof vest and body armor program as an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers, including independent school districts.

Effective date: September 1, 2025

## **STATE AGENCIES**

### **HB 1586 – Exemption from Required Immunizations Needed for School Enrollment Hull**

Amends Health and Safety Code by requiring the Department of State Health Services to develop a blank affidavit form for a person to use in claiming an exemption from a required immunization and to post the affidavit form in a printable format on its website. Allows a person to also request the affidavit form in writing. Prohibits a person seeking an affidavit from having to provide any personal information. Allows the department to maintain a record of the total number of times an affidavit form was accessed on the website or requested in writing. Prohibits the department from maintaining a record of any personally identifying information of individuals who download, access, request or submit an affidavit form. Requires the department to modify the existing form not later than 30 days after the effective date of this Act.

Effective date: September 1, 2025

## **HB 3627 – SBOE Chair Allowed to Hire Personnel**

### **Sparks**

Allows the chair of the SBOE to: (1) employ personnel as necessary to assist all members of the board in performing duties; (2) prescribe the duties of the personnel; (3) compensate personnel through funds made available by the Legislature; and (4) determine whether to promote, terminate, or take any other employment action regarding the personnel. Establishes that SBOE-hired personnel are eligible for membership in ERS, entitled to reimbursement for carrying out official duties, and directly accountable to the chair. Requires TEA to provide administrative support, including human resources, budgetary, accounting, purchasing, payroll, information technology, and legal support services, to the board as necessary.

Effective date: September 1, 2025

## **SB 1952 – Operation of the School Health and Related Services Program**

### **Paxton**

Amends Government Code related to the Medicaid Commission, the state agency that administers federal Medicaid funds and is the sole state agency responsible for administering the school health and related services program. Requires the commission to: (1) oversee the participation of LEAs as providers in the school health and related services program, including: (A) the administration of provider training; (B) the provision of information and guidance regarding the program to those providers, including guidance on applicable federal and state regulatory requirements; and (2) collaborate with regional ESCs to provide resources, information, and other appropriate assistance to LEAs participating or seeking to participate as providers in the school health and related services program. Mandates the Medicaid Commission and TEA enter a MOU that specifically identifies the responsibilities of each agency with respect to operating the school health and related services program.

Effective date: Immediate

## **STUDENT DISCIPLINE**

### **HB 6 – School Discipline and Access to Telehealth Mental Health Services**

#### **Leach**

Provides more discretion to teachers regarding student discipline, grievances, paid leave, and contracts.

#### District of Innovation (DOI) Exemption Eliminated for Chapter 37

Eliminates the use of DOI for purposes of Chapter 37. Requires districts to comply with all provisions in Chapter 37. Applies to a local innovation plan adopted or renewed before, on, or after the effective date of this Act.

#### Teacher Removal

Allows a teacher to remove a student from class based on a single incident of behavior listed above. No longer requires teachers to document repeated interference.

Allows a teacher to remove a student who: (1) repeatedly interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; (2) demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult,

or another student; or (3) engages in conduct that constitutes bullying under Chapter 37.0832. Requires a parent or person standing in parental relation to be notified when a student has been removed from class.

Requires a conference meeting be held not later than the third-class day after the student was removed in which the teacher has an opportunity to participate. Requires the school to develop – and the teacher who removed the student – to agree to a return-to-class plan, unless an ARD committee makes another determination. Provides that a principal may only designate an employee of the school whose primary duties are not in the classroom to develop a plan. Allows students to appeal removal. Requires the commissioner to adopt a model return-to-class plan for school district use.

#### In-School Suspension (ISS)

Clarifies that there is no limit on the number of days a student can receive an ISS placement but does require the placement to be reviewed at least once every 10 days with documentation of any extensions. Requires school districts to provide appropriate behavioral support services and educational services comparable to those the student would receive in a classroom. Provides that special education and related services must continue for the student as set forth in their IEP.

#### Out-of-School Suspension (OSS)

Clarifies OSS is subject to a three-day limit. For students below grade three, allows an OSS placement if: (1) the student engages in conduct related to weapons (explosives, guns); (2) the student is an immediate threat to the health and safety of other students, (3) the student engages in conduct that results in repeated or significant disruption to the classroom.

Allows a principal or other appropriate administrator to reassign a student placed in out-of-school suspension to an in-school suspension placement if the student's parent or guardian demonstrates through documentation that the parent/guardian is unable to provide suitable supervision for the student during school hours during the suspension. This provision can be used only in extenuating circumstances and cannot be used as routine placement for out-of-school suspension. Requires districts to maintain documentation of each reassignment.

#### Possession, Use, Sale, or Delivery of E-Cigarette – Student Code of Conduct

Removes the requirement for mandatory placement in a DAEP and makes it permissive, except that a district must place a student in ISS for 10 days if it is not the student's first e-cigarette offense. Gives districts discretion on whether to place a student in a DAEP for the first-time offense of possession or use of an e-cigarette but does not mandate the placement. Requires school district code of conduct to include a statement on whether the board has adopted a policy for parental involvement in school disciplinary placements under Chapter 37.0014.

#### Mandatory Removal to DAEP

Adds mandatory DAEP placement if a school has a reasonable belief that a student engaged off campus in the following misdemeanor offenses of deadly conduct defined in 22.05; disorderly conduct involving a firearm defined in 42.01 and unlawful carrying of a weapon defined in 46.02.

#### Mandatory Expulsion – Regardless of Where Felony Occurs

Provides that Title V felonies are subject to mandatory expulsion regardless of where they occur. Removes the language about on school property or while at a school-sponsored or school-related activity in 37.007.

#### Virtual DAEP Expulsion Program in Absence of an In-person Setting

Allows school districts to expel a student to a virtual alternative education program if an in-person setting is not available and the student is provided with the appropriate technology and internet access, only if: (1) the school district is located in a county that operates a Juvenile Justice Alternative Education Center (JJAEP) or the district contracts with a juvenile board in another county that rejects or returns the student prior to completion of the placement; or (2) the district does not have a JJAEP program and does not contract with another county for alternative education programs. These placements must be reviewed at least once every 45 days. Once a seat becomes available in an in-person DAEP setting, the student must be transitioned to an in-person setting.

Provides that a student in attendance in a virtual DAEP must be counted in ADA. Prohibits a teacher from teaching virtual and in-person students in the same class period. Requires school districts to ensure to the extent practicable that the district's virtual expulsion program complies with the requirements for a DAEP program. Gives the commissioner of education authority to adopt rules, including how to take attendance in a virtual DAEP setting.

#### Policy for Parental Involvement in School Disciplinary Placements

Allows school districts to adopt a policy for parental involvement in school disciplinary placements. Requires the policy to provide for: (1) the principal, campus behavior coordinator, or other appropriate administrator to notify the parent or person standing in parental relation to a student who has been placed in a DAEP or expelled of the parent's or person's right to request a behavioral agreement that specifies the responsibilities of the parent or person and student to be developed; and (2) a reduction in the time in the disciplinary placement if the student and parent or person comply with the agreement. Requires the commissioner to adopt a model behavioral agreement for use by school districts.

#### Supplemental Special Education Services

Adds crisis prevention and intervention training for the student's parent's or person standing in parental relation to the student as a new supplemental service for special education students.

#### Immunity From Disciplinary Proceedings for Actions Related to Discipline and Law and Order

Provides that a professional employee of a school district cannot be subject to a disciplinary proceeding for: (1) reporting a violation of Chapter 37 to another professional employee of the school district, TEA, or a law enforcement agency; or (2) an action taken in good faith to remove a student from class. This immunity does not interfere with any other immunity provided by law.

#### Campus Behavior Coordinator

Requires a single person at each campus to serve as the campus behavior coordinator. This can be the principal of the campus or any other campus administrator selected by the principal. Allows additional school staff to assist the campus coordinator with their duties. Requires the coordinator to: (1) monitor disciplinary referrals; (2) report to the campus' threat assessment team any student who engages in conduct that contains the elements of a terroristic threat, unlawfully carrying weapons, other weapons offenses, or exhibiting, using, or threatening to use or exhibit the use of a firearm.

#### ARD Committee Meeting Prior to Discipline

Repeals existing law that requires an ARD committee meeting five days before disciplining a student with a disability for conduct related to bullying or harassment and making a hit list. Aligns with federal law, which allows a student to be disciplined prior to an ARD meeting.



### Texas Child Health Access Through Telemedicine

Creates the Texas Child Mental Health Care Consortium, which may make available mental health services to a school district through a program. Districts may offer students access to those mental health services. Prohibits school districts from: (1) referring students who are younger than 18 unless consent is provided by the parent or guardian; (2) requiring a student to participate; or (3) allowing a student younger than 18 to participate in any component of the program that involves mental health education without consent by the parent or guardian. Prohibits a school district from sharing records related to a student in the program without written consent from the student, or the parent or legal guardian.

### Penalties From TEA Prohibited

Prohibits TEA from imposing penalties on school districts for failure to follow Chapter 37.

Effective date: Immediate

### **SB 326 – Antisemitism in Student Code of Conduct**

#### **King**

Requires school districts and charter schools in taking disciplinary action against a student for behavior in violation of the student code of conduct that may reasonably be determined to have been motivated by antisemitism, to use the definition of antisemitism provided by Section 448.001, Government Code to determine whether the student’s behavior was motivated by antisemitism. Applies beginning with the 2025-2026 school year.

Effective date: Immediate

## **STUDENT HEALTH**

### **HB 549 – Required Airway Clearance Devices**

#### **Vasut**

If donated, the bill requires each school district to make available at each campus at least one airway clearance device appropriate for use, “on the majority of students enrolled” at the campus. Defines an “airway clearance device” as a noninvasive device capable of removing or assisting with the removal of a person’s foreign-body airway obstruction. In determining the location at which to store the device, the principal of the campus would have to consider the primary location on a campus where students consume food. Requires districts to comply only if the district obtains an airway clearance device through a donation and the device is in the original packaging or if a district purchases or leases the device using appropriated or donated money.

School districts must ensure at least one employee is trained on use of the device at any time a substantial number of students are present at the location where the device is located. Requires school districts to ensure that each device is stored and used in accordance with the manufacturer’s specifications and any applicable law.

The bill does not: (a) waive any immunity from liability of a school district or the district’s officers or employees; (b) create any liability for or a cause of action against a school district or the district’s officers or employees; or (c) waive any immunity from liability for emergency care.

Applies beginning with the 2025-2026 school year.

Effective date: Immediate

## **SB 25 – Health and Nutrition Standards**

### **Kolkhorst**

Adds open-enrollment charter schools to daily PE activity requirements in Education Code for students in prekindergarten through grade 8. Requires the commissioner to permit an exemption from PE requirements to a student who participates in a school-related activity, or an activity sponsored by a private league or club, if the student provides proof of participation.

Prohibits a school employee from restricting participation in: (1) recess or other physical activity offered as part of the district's or school's PE curriculum for a student enrolled in kindergarten or in a grade level below grade 6 as a penalty for the student's academic performance or behavior; or (2) physical activity offered as part of the district's or school's PE curriculum for a student enrolled in grades 6–8 as a penalty for the student's academic performance or behavior.

Requires the SBOE to adopt nutrition TEKS for students in grades Kindergarten through 8 that are based on nutritional guidelines recommended by the Texas Nutrition Advisory Committee established under Chapter 119B, Health and Safety Code.

Mandates each school district and charter school offering a high school program to provide an elective course in nutrition and wellness for one-half elective credit using SBOE-approved materials. Provides that the nutrition instruction: (1) must include curriculum requirements based on guidelines recommended by the Texas Nutrition Advisory Committee; and (2) may incorporate other relevant materials, including culinary skills, horticulture, and consumer economics.

Requires an IHE to provide nutrition education coursework. Establishes the Texas Nutrition Advisory Committee, with seven members appointed by the governor, to develop nutritional guidelines for residents of the state. Amends Health and Safety Code to require a food manufacturer to include a warning label if specified ingredients were used to develop the food product. Adds other provisions for continuing education in nutrition for certain occupations.

Applies provisions in the Act amending Education Code for PK-12 students and schools beginning with the 2027-2028 school year.

Effective date: Immediate

## **SB 207 – Excused Absence to Attend a Mental Health Care Appointment**

### **Paxton**

Requires a school district to excuse a temporary absence resulting from an appointment with health care professionals, including mental health care professionals, for the student or the student's child, if the student commences classes or returns to school on the same day of the appointment. Applies this Act beginning with the 2025-2026 school year.

Effective date: Immediate

## **SB 314 – Prohibits Certain Food Additives in Free or Reduced-Price Meals**

### **Hughes**

Prohibits school districts and open-enrollment charter schools that provide free or reduced-priced meals under a locally funded program, the national school breakfast program, or the national school lunch program, from providing as part of those meals any food that contains the following substances: Brominated vegetable oil (BVO); potassium bromate; propylparaben; azodicarbonamide; butylated hydroxyanisole (BHA); red 3 (CAS 16423-68-0); red 40 (CAS 25956-17-6); yellow 5 (CAS 1934-21-0); yellow 6 (CAS 2783-94-0); blue 1 (CAS 3844-45-9); blue 2 (CAS 860-22-0); green 3 (CAS 2353-45-9); citrus red 3 (CAS 6358-53-8); orange B (CAS 15139-76-1); INS No. 150c/ammonia caramel (Class III); INS No. 150d/sulfite ammonia caramel (Class IV); titanium dioxide; or any additive that is substantially similar to these listed additives. Applies beginning with the 2026-2027 school year.

Effective date: Immediate

## **SB 920 – Administration of Nonprescription Medications**

### **Sparks**

Establishes that, on the adoption of policies concerning administration of medication to a student, a school district and its board of trustees, an open-enrollment charter school and its governing body, a private school and its trustees or other governing body as applicable, and the employees of these entities, are immune from civil liability and administrative disciplinary action for damages or injuries resulting from the administration of medication to a student if: (1) the district or school has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student; and (2) the medication is administered either (A) from a container that appears to be the original container and properly labeled; or (B) from a properly labeled unit dosage container filled by a registered nurse or another qualified district or school employee, as determined by the adopted policy.

Allows adoption of a policy that permits a school district, open-enrollment charter school, or private school employee, including a nurse, to administer nonprescription medication to a student without further authorization or written protocol from the student's health care provider if: (1) the district or school has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student; (2) the medication is unexpired and administered from a container that appears to be the original container, properly labeled, and the dose administered is consistent with the instructions on the container's label.

Permits the trustees or governing body to allow a licensed physician or registered nurse who provides volunteer services to the district or school and for whom the district or school provides liability insurance to administer to a student: (1) nonprescription medication; or (2) medication currently prescribed for the student by the student's health care provider. Adjusts Occupation Code for the new provisions. Applies this Act September 1, 2025.

Effective date: Immediate

## **SB 1619 – Use of Epinephrine Delivery Devices**

### **Zaffirini**

Changes the term in statute from "auto-injectors" to "delivery systems" and makes conforming changes throughout relevant statutes.

Effective date: Immediate

## TEACHER RETIREMENT SYSTEM

### **HB 3126 – District Participation in TRS-ActiveCare**

#### **Darby**

Allows school districts that had previously opted out of TRS-ActiveCare to opt back in. Provides that these school districts may elect to participate in the program before the fifth anniversary of opting out if the district: (1) provides written notice to TRS not later than December 31, 2025, of the entity's election to participate in the program effective beginning September 1, 2026; and (2) complies with any other requirements required by TRS for participation. For the plan year beginning September 1, 2026, the bill requires TRS to impose a risk stabilization fee in an amount they determine on the premium of an entity opting back in. School districts electing to opt back into the program are prohibited from opting out until September 1, 2031.

Effective date: September 1, 2025

## UIL/EXTRACURRICULAR PROGRAMS

### **SB 401 – UIL Participation by Non-enrolled Students**

#### **Paxton**

Requires school districts and charter schools to allow non-enrolled students to participate in University Interscholastic League (UIL) activities on behalf of the school, unless the school district board or the governing body of a charter school adopts a policy disallowing the participation. Allows a non-enrolled student to participate in a league activity for the closest school that allows participation of non-enrolled students. Applies beginning with the 2025-2026 school year.

Effective date: Immediate

### **SB 2398 – Policies & Procedures Related to Concussions or other Brain Injuries**

#### **Campbell**

Requires TEA to develop a list of nonmedical academic accommodations a school district may offer to a student diagnosed with a concussion or other brain injury. TEA must develop a form for use by school districts describing the accommodations a district may offer the student and put the form on its website for use by school districts, educators, administrators, students, and parents or guardians. Districts that decide to provide accommodations must make the form available to district employees as soon as practicable after receiving notice that a student has been diagnosed with a concussion or other brain injury or if the student requests a form from the employee. Provides that these forms must also be available to impacted students or the student's parent or guardian. Prohibits this statute from being construed to require a school district to provide any of these accommodations. Applies beginning with the 2025-2026 school year.

#### Treatment of Concussions Affecting Non-Athlete Students

Requires a school district to adopt and implement a policy regarding how to respond to a concussion believed to have been sustained by a student while on school property or participating in a school-sponsored or school-related activity on or off school property. The policy must provide for: (1) the immediate removal of a student from a school-sponsored or school-related activity if a school district employee or volunteer believes the student might have sustained a concussion; (2) notice to the student's parent, guardian, or other another person with legal authority to make medical decisions for

the student of the student's suspected concussion and removal; and (3) the student's return to a school-sponsored or school-related activity only after the requirements under TEC 38.157(a) (Return to Play) have been satisfied. Applies beginning with the 2025-2026 school year.

Effective date: Immediate

**SB 2929 – Removal of Spectator at Extracurricular Athletic Activities or Competitions  
Creighton**

Provides that a referee, judge, or other official of an extracurricular athletic activity or competition sanctioned by the school district or UIL may eject a spectator from the event without a verbal warning or without the spectator persisting in inappropriate behavior. Applies beginning with the 2025-2026 school year.

Effective date: Immediate