June 2026

For frequently asked questions related to House Bill 2, please visit the House Bill 2 webpage.

Senate Bill 12

1. Where can we find the agency-developed information that school districts must share with parents of enrolled students at the time of enrollment and at the beginning of each school year on parental rights and options, including their right to withhold consent for or exempt their child from certain activities and instruction, as required by TEC, §26.001(d)(4)?

The form is located on the Texas Education Agency's (TEA) 89th session webpage. Each district must post this form in a prominent location on the district's website.

2. Where do I find the new requirements established by TEC, 26.0083, in relation to reinforcing parental rights around a student's health?

For the specific actions required of school systems by this new section added by SB 12, see EDUCATION CODE CHAPTER 26. PARENTAL RIGHTS AND RESPONSIBILITIES.

3. Where do I find the changes to TEC, §26.009, regarding parental consent that would be required prior to a child's participation in certain activities?

TEC, 26.009, was amended by SB 12, which can be found here: EDUCATION CODE CHAPTER 26. PARENTAL RIGHTS AND RESPONSIBILITIES.

Updated 6/18/26

4. May a school system establish an all opt-out (assumed or passive consent) or all opt-in (active informed consent) process for health-related and health-care services?

No. TEC, §26.0083, relies on parental notification of certain services with a specific notice of their right to withhold consent or decline a service – with the exception of a well-being questionnaire or health screening form, which requires prior parental consent before administering – whereas TEC §26.009 requires active informed consent. In either case, the statutes are not written to allow a school system to require an all-opt-out or all-opt-in approach to services. See subsections (k), (l), (p), and (q) in the agency's draft rule text.

Updated 6/18/26

5. Does prior parental consent have to be provided for first aid?

TEC, §26.0083(g), requires notification to a parent of each health-related service available at the campus the child attends. The notice requires a statement that the parent has a right to withhold consent for or decline a health-related service, but it does not require prior active consent of a parent. Therefore, first aid as a health-related service should be provided unless a parent has specifically notified the district of their choice to decline this service. Once a parent has been initially notified that first aid is a health-related service offered as necessary by the district, and the district does not receive specific notice of the desire to opt their child out of the service, additional notifications to a parent prior to administering first aid are not necessary, although schools are encouraged to notify parents as appropriate. A school district must not impose an opt-in practice for first aid and

should not impose an opt-in process on health-related services that a reasonably prudent person would expect a school to provide for the majority of students.

Updated 6/18/26

6. Where do we find TEA's adopted procedure for school systems to notify parents regarding any change in services provided to or monitoring of a student related to the student's mental, emotional, or physical health or well-being, as required by TEC, §26.0083(a)?

TEA will engage in the state rulemaking process to adopt this procedure. In the meantime, the agency has posted a draft of its proposed rules describing this procedure. This draft, updated as of June 18, 2026, is subject to change until it is adopted through that process.

Updated 6/18/26

7. Can our staff provide general caretaking without an active parental consent on file?

Yes. "General caretaking" means noninvasive actions to address minor student claims of feeling unwell or adult observations of a child being physically unwell, such as cleaning spills or other accidents, offering a change of clothing if necessary, and providing support that an adult would typically provide to support a child's expressions of being unwell (such as feeling a student's forehead or checking for swollen lymph nodes or tonsils). It also includes minor student care actions such as applying adhesive bandages or wiping a bloody nose. Responding to in-the-moment emotional behavioral challenges by actions such as inquiring about a child's well-being, attempting to calm a student if they are crying, or diffusing a situation where a student is observably angry would also be considered general caretaking. General caretaking is not considered a health-related or health-care service. School districts must provide general caretaking to students.

8. Do we have to contact the parent during or after every visit to the nurse their child makes?

Nursing staff should follow district, state health, and licensing protocols to contact parents when there is a health issue that would require a child to go home from school or when the nurse feels the parent should make a decision about whether they wish to pick up the child from school. If a student visits the nurse for the administration of first aid and the parent has not previously notified the district that they opt their child out of this service, parental notification is not required prior to administering it. If the nurse provides general caretaking, as illustrated with examples above, notification is not necessary. A nurse should use their best professional judgement as to whether notification is necessary after the visit.

9. Can I allow a student to pet a school therapy dog without advanced consent forms signed by a parent?

In many but not all cases, use of a therapy dog would be considered a health-related service rather than a health-care service. School districts will need to evaluate when a service or activity meets the definition of those described in TEC, §26.009, that would require parental consent prior to providing it to a student. Health-related services do not require prior consent. If the specific use of a therapy dog is consistent with a medical health-care usage or psychological services, then prior consent is required.

10. Is SB 12's superintendent certification of compliance of Sections 11.005 and 28.0022 due to be submitted on September 30, 2025, or September 30, 2026, and when will we learn more?

TEA will provide more information about the collection of the superintendent certification of compliance with these sections of law in advance of the September 30, 2026, due date.

Senate Bill 10

1. What is the deadline required of districts and open-enrollment charter schools to implement this bill?

Unless subject to a court order delaying or otherwise affecting implementation of SB 10, school districts and open-enrollment charter schools must begin implementing the requirements of the bill at the start of the 2025-2026 school year.

2. What are the requirements that districts and open-enrollment charter schools must meet?

Texas Education Code (TEC), Section 1.0041(a), of SB 10 requires conspicuous display of a durable poster or framed copy of the Ten Commandments in each classroom of every Texas public elementary or secondary school. The technical requirements for such posters and framed copies are described in TEC, Section 1.0041(b).

3. Are there any exceptions for open-enrollment charter schools or districts of innovation?

No. SB 10 applies to all public schools.

4. What does the injunction mean for districts or open-enrollment charter schools, and who does this apply to?

To the extent that the application of SB 10 is enjoined by a court, the terms of the injunction, which will include the names of any school district or open-enrollment charter school affected by the injunction, will provide this information. Questions by a school district or open-enrollment charter school regarding any such injunction should be addressed by its local legal counsel.

5. What does the bill outline as the standard process for districts or open-enrollment charter schools to obtain a copy of the Ten Commandments?

There are two processes a district or charter school may utilize to obtain a copy of the Ten Commandments for display under SB 10.

First, per TEC, Sec. 1.0041(d), a public elementary or secondary school that does not have a poster or framed copy of the Ten Commandments posted as required by the section must accept any offer of a privately donated poster or framed copy of the Ten Commandments, if the poster or copy meets the requirements of the bill and does not contain any additional content. Once received, the district or charter school must display the poster or framed copy as required by the bill.

Second, per TEC, Sec. 1.0041(e), a public elementary or secondary school in which each classroom does not include a poster or framed copy of the Ten Commandments as required by the bill may, but is not required to, purchase posters or copies that meet the requirements of the bill using district funds.

Senate Bill 571

1. Where can school administrators find definitions for misconduct terms referenced in SB 571?

Definitions for the misconduct terms referenced in SB 571 are currently outlined in the State Board for Educator Certification (SBEC) Educators' Code of Ethics, found in 19 Texas Administrative Code §247.2. Specifically, Standard 3.9 defines inappropriate communication with students or minors, and Standard 3.7 addresses boundaries. The SBEC is actively engaged in rulemaking discussions related to the implementation of Senate Bill 571, which may result in updates to these standards.

2. Does SB 571 prevent district police departments from investigating child abuse cases? For example, if a local education agency has detectives who have been investigating sexual offenses or acts of sexual misconduct against our students, can they continue to do so?

The requirement to report to "law enforcement," as defined in the amended Texas Family Code §261.001 and Texas Education Code §22A.154, doesn't preclude an LEA PD from investigating, as long as the LEA PD deconflicts/coordinates with the law enforcement agency that received the report. The requirement also doesn't preclude TEA or a school district from reporting to law enforcement (as defined) and LEA PD.

3. When is the deadline to have all staff and administrators receive the new training for misconduct reporting for SB 571?

Under Texas law (TEC §38.004), all public-school systems are required to adopt and implement policies and procedures for reporting and preventing child abuse, sexual abuse, human trafficking, and other forms of maltreatment. These policies are designed to protect students and ensure that school personnel are equipped to recognize and respond appropriately to signs of abuse. All newly hired school employees—as well as any current staff who have not yet received training—must complete instruction covering the following areas in the timeline required by local policy:

- Identification and prevention of sexual abuse, trafficking, and other forms of maltreatment
- Special considerations for students with significant cognitive disabilities

Due to recent substantive updates to these legal requirements, the Texas Education Agency (TEA) strongly encourages Local Education Agencies (LEAs) to require all staff to complete updated training. This will help ensure that personnel fully understand their responsibilities under current law. TEA has created a free training resource available for use that meets requirements of law: Abuse and Misconduct Reporting Training.

4. Is our LEA required to retroactively retrieve affidavits for employees and/ or service providers who were employed prior to the effective date of SB 571?

The Texas Education Agency (TEA) is authorized to review matters based on the law in effect at the time the alleged action occurred, as outlined in the complaint. School systems are encouraged to consult with their legal counsel to determine whether additional diligence may be appropriate in specific circumstances. Please note that TEA is authorized to ensure compliance with prior TEC Section 21.009.

5. SB 571 requires superintendents to file required misconduct reports via the misconduct reporting portal. What is that, and how do I access it?

The Misconduct Reporting Portal (MRP) is accessible through the Texas Education Agency Login (TEAL) application, a secure and confidential gateway to all TEA web applications and resources. Upon successful report submission, MRP automatically sends a confirmation receipt via email. MRP retains a historical archive of

submissions for reference. MRP allows misconduct reports or related documents to remain viewable for up to one year. MRP enables efficient searching by SSN, the name of the staff member who submitted the report. To get started, please visit the TEA Help Desk.

House Bill 1481

Definitions

1. What is a school day, and when should the policy be applied during the school day? For example, are students allowed to use personal communication devices during lunch on school property?

School day is not defined in the statute. However, it was widely expressed during the debate on this bill during the legislative session that one of the goals associated with prohibiting the use of personal communication devices during the school day was to improve school climate and reduce student use of social media during unstructured times. Therefore, the agency guidance refers to school day as the time from the first bell of the day to the last bell of the day. There should be no use of the devices during lunch or passing periods.

2. Is storing a device in a backpack considered compliant with the secure storage requirement?

The statute requires a district to either prohibit possession of the devices altogether or designate a method of storage for devices during the school day. A school system may determine the method of storage.

Other Devices

1. Does HB 1481 include e-readers?

If the device is owned by the student and capable of telecommunication or digital communication, it is considered a personal communication device. While "capable of telecommunication or digital communication" is not defined in the statute, it can be understood to mean a device that can send, receive, or process digital signals and data. The decision to include or exclude e-readers or other devices that are not traditionally considered telecommunication or digital communication devices should be carefully considered by an LEA with advice from local legal counsel.

2. Are iPods, MP3s, CD players and digital cameras permitted?

See question above.

3. If an electronic device does not utilize Wi-Fi or Bluetooth capabilities, can we use it?

If the device is no longer capable of telecommunication or digital communication, it would not be considered a personal communication device for purposes of the prohibition on use of such a device. The decision to include or exclude these or other devices should be carefully considered by a school system with advice from local legal counsel.

4. Are headphones or earbuds permitted to connect to the school-assigned computers/devices?

If the devices, on their own, are capable of telecommunication or digital communication, or become capable of telecommunication or digital communication by connecting to the school-assigned computer/device, they would be considered personal communication devices.

5. Are you allowed to wear a smartwatch when its communication functions are disabled?

If the device is no longer capable of telecommunication or digital communication, it would not be considered a personal communication device. The decision to include or exclude a smartwatch with its communication functions disabled should be carefully considered by a school system with advice from local legal counsel.

Special Exemptions

1. What if my child requires the use of a device for specialized educational support?

HB 1481 requires exceptions to this policy for certain purposes. This includes a student whose individualized education program (IEP), Section 504 accommodation, or other individualized plan requires the use of the device to implement their plan. The use will be determined by the student's admission, review, and dismissal (ARD) committee, Section 504 committee, or other relevant committee.

2. What if my child requires the use of a device for medical needs?

HB 1481 requires exceptions to this policy for certain purposes. This includes a student who has a documented need to use a personal communication device based on a directive from a qualified physician; a directive must be submitted to the campus principal. A qualified physician for purposes of this policy shall mean a physician licensed to practice in Texas. The directive must state the conditions under which the student would need to access and use their personal communication device during the school day on school property. The parent may be asked to sign consent for school staff to contact the physician should the school need more information in order to comply with the directive. Use authorized under this provision should be conducted in a manner that minimizes disruption to instruction and the school environment, and may be subject to reasonable limitation on time, place and manner as determined by the principal or designee. Authorization under this provision can be revoked if the device is being used in a way that is found to disrupt the learning environment.

CTE/AP/Dual Credit

1. What if a student takes college classes online while on the school district campus and requires cell phone usage for assignments or projects?

The law does not contemplate this; many times, an institution of higher education will make exceptions for any requirements where course material can only be accessed by one device, allowing students to use a school-issued device to access their college courses. If personal communication devices must be used, the school system should work with its technology staff to require connections to school system networks, ensuring the same filtering and communication restrictions apply to personal communication devices as for school-issued devices.

2. What if a cell phone is needed for a curriculum tool for Dual Credit or AP courses? What if the curriculum requires app usage that is not accessible on Chromebooks or desktop computers?

See question above. If there are specific situations that the board of trustees or governing board of an open-enrollment charter school cannot find a solution for, the board should denote this in their policy.

Grants

1. Is there funding to help implement HB 1481?

To support school systems in complying with HB 1481, the TEA has been allocated $20 million in state grant funding. This funding is intended to help school systems purchase secure storage solutions and implement the infrastructure necessary to enforce the personal communication device ban.

2. How can I learn more about the 2025-2026 Phone Free Schools Grant Program?

The grant is available on TEA's Grant Opportunities page. From this page, you will search for the "2025-2026 Phone Free Schools Grant Program". To confirm your application or for general grant-related questions, please reach out to Grants@tea.texas.gov.

Senate Bill 25

1. With SB 25, if students have met the required 135 minutes of weekly physical education, can recess be used for time for students to make up work? Can parents request that recess be used as a disciplinary consequence?

SB 25 prohibits the restriction of student participation in recess or other physical activity offered as part of the PE curriculum. Additionally, existing state law requires students to participate in a minimum number of minutes of moderate to vigorous daily physical activity. Participation in PE cannot be restricted as a penalty for the student's academic performance or behavior under any circumstance as a result of SB 25 requirements. However, if a student has met the minimum number of minutes of moderate to vigorous daily physical activity, time spent in recess or other physical activity that is not part of the PE requirement and that extends beyond the minimum physical activity requirement would not be subject to the requirements of SB 25.

Relatedly, a student may not be removed from recess or foundational or enrichment curriculum subjects, such as PE, to receive accelerated instruction as required by TEC 28.0211.