

The State Board of Education (SBOE) proposes new §61.4, concerning school district boards of trustees. The proposed new rule would reflect changes made by Senate Bill (SB) 204, 89th Texas Legislature, Regular Session, 2025, to the SBOE's duty to provide training courses for independent school district trustees.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Texas Education Code (TEC), §11.159, Member Training and Orientation, requires the SBOE to provide a training course for school board trustees. Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, most recently amended effective August 25, 2025, addresses this statutory requirement. School board trustee training under current SBOE rule includes a local school district orientation session; a basic orientation to the TEC; an annual team-building session with the local school board and the superintendent; additional hours of continuing education based on identified needs; training on evaluating student academic performance; training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children; and training on school safety.

In November 2025, the Committee on School Initiatives discussed both an outline of the parental rights training curriculum and the new rule regarding the training. The committee also held a public hearing regarding the training curriculum.

The proposed new rule would establish the purpose of the training, specify the timeline and number of hours required for training based on a board member's length of service, and require that school districts maintain verification of training completion for each school board member.

The SBOE approved the proposed new section for first reading and filing authorization at its January 30, 2026 meeting.

**FISCAL IMPACT:** Steve Lecholop, deputy commissioner for governance, has determined that there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** Texas Education Agency (TEA) staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create a new regulation to add training on parental rights to the existing required trustee training.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** Mr. Lecholop has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to describe the requirements for a new parental rights training for school district trustees established by TEC,

§11.159(b-2), as added by SB 204, 89th Texas Legislature, Regular Session, 2025. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data or reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The SBOE requests public comments on the proposal, including, per Texas Government Code, §2001.024(a)(8), information related to the cost, benefit, or effect of the proposed rule and any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. The public comment period on the proposal begins February 27, 2026, and ends at 5:00 p.m. on March 30, 2026. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in April 2026 in accordance with the SBOE board operating policies and procedures. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the Texas Register on February 27, 2026.

STATUTORY AUTHORITY. The new section is proposed under Texas Education Code (TEC), §11.159(b-2), as added by Senate Bill 204, 89th Texas Legislature, Regular Session, 2025, which obligates the State Board of Education (SBOE) to require trustees to complete training on parental rights. The statute also requires the SBOE, with assistance from the Texas Education Agency, to develop the curriculum and materials for the training by April 1, 2026.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code, §11.159(b-2), as added by Senate Bill 204, 89th Texas Legislature, Regular Session, 2025.

<rule>

#### **§61.4. Parental Rights Training for School Board Members.**

- (a) The continuing education required under Texas Education Code (TEC), §11.159(b-2), applies to each member of an independent school district board of trustees.
- (b) Each trustee of an independent school district shall complete the training on parental rights developed by the State Board of Education (SBOE).
  - (1) The purpose of the training is to ensure that each trustee:
    - (A) understands the constitutional and statutory foundations of parental rights;
    - (B) recognizes the trustee's duty to parents and children as beneficiaries of the public education trust;
    - (C) governs in a manner that recognizes a parent's right to direct the upbringing, education, health, and moral training of their child; and
    - (D) ensures district policies, procedures, and practices comply with all applicable federal and state parental rights laws.
  - (2) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding election or appointment must complete the training within 120 calendar days after election or appointment.
  - (3) The training requirement shall be fulfilled by completing the online course developed by the SBOE and provided by the Texas Education Agency.
  - (4) The continuing education shall be completed annually.

- (A) In a board member's first year of service, the training shall be at least five hours in length.
  - (B) In subsequent years of service, the training shall be at least three hours in length.
  - (C) In the event of a break in service, a trustee's first year upon reappointment or reelection shall be considered the first year of service for purposes of the training requirements under this section.
- (5) Each school district shall maintain verification of completion for each trustee.