



Seizure Management and Treatment Plan Form Frequently Asked Questions November 6, 2024

This document is intended to provide answers to the most commonly asked questions. Please note that changes to law are made through the legislative process, and TEA does not govern that process. Please further note that the Curriculum Standards and Student Support Division cannot interpret statute or provide legal advice to the general public. Please consult with your district's legal representation for further clarification of the information provided below.

1. What are the legislative requirements regarding the TEA seizure management form?

[Senate Bill \(SB\) 1506](#), 88th Texas Legislature, Regular Session, 2023, amended Texas Education Code (TEC) [§38.032](#) requiring TEA to post on the agency's website, a form to be used in submitting a seizure management and treatment plan that includes a specific list of information and the signatures of the student's parent or guardian and the physician responsible for the student's seizure treatment.

TEC [§38.032\(b\)](#), as amended by [SB 1506](#), states that the form to be posted on TEA's website **must** request the following information:

- 1) the student's name and date of birth;
- 2) the names and contact information of the student's parent or guardian, the physician responsible for the student's seizure treatment, and at least one other emergency contact;
- 3) any medical history significant to the student's seizure disorder;
- 4) the type, length, and frequency of the student's seizures;
- 5) a description of each type of seizure the student has experienced;
- 6) the student's seizure triggers or warning signs;
- 7) the student's ability to manage seizures and the student's level of understanding of the seizures;
- 8) the student's response after a seizure;
- 9) the basic first aid to be provided to the student during a seizure, including whether the student needs to leave the classroom after a seizure and the process for the student's return to the classroom, if applicable;
- 10) a description of what constitutes a seizure emergency for the student;
- 11) a description of seizure emergency protocol for district personnel to follow in the event of a seizure emergency for the student;

- 12) a treatment protocol for any medications or other procedures to be administered by district personnel to the student during school hours, including:
 - 13) each daily or emergency medication, including:
 - (i) the name and dosage of the medication and the time at which the medication is to be given;
 - (ii) common side effects for the medication; and
 - (iii) any special instructions regarding the medication; and
 - 14) whether the student has a vagus nerve stimulator and, if so, appropriate magnet use for the stimulator;
 - 15) any special considerations or precautions applicable to the student; and
- the signatures of the student's parent or guardian and the physician responsible for the student's seizure treatment.

2. Are local education agencies (LEAs) required to post the TEA seizure management form on their website?

The law does not require school districts or open-enrollment charter schools to post the form on their website; therefore, this would be a local district decision.

3. When are LEAs to start using the TEA seizure management form?

Section 3 of [SB 1506](#), 88th Texas Legislature, Regular Session, 2023, states that the change in law **only** applies to a seizure management and treatment plan submitted to a school district or open-enrollment charter school on or after January 1, 2024. Therefore, anything prior to January 1, 2024, can be on any form; however, beginning on or after January 1, 2024, information submitted must be on the posted TEA seizure management form.

4. Are LEAs and medical providers required to use the TEA seizure management form posted on the TEA website?

Yes, [SB 1506](#), 88th Texas Legislature, Regular Session, 2023, amended TEC [§38.032](#) to require the seizure management and treatment plan be submitted on the form adopted and posted on the agency's Internet website.

5. What if school health services staff receive seizure management information on a form other than the TEA seizure management form posted on the TEA website after January 1, 2024? Do school health services staff not accept it? Does that mean the MD's orders are not valid?

If a student's seizure management and treatment plan is not submitted on the required form, the school district should inform the parent of the need to resubmit the plan on the TEA-required form. In the meantime, the district may treat the plan as valid to help avoid a potential medical incident.

6. Does the TEA seizure management form need to be approved by any organization before the use of the form?

No, law and rule do not require the seizure management form to be approved by any organization before using the form.

7. Who is required to fill out and submit the TEA seizure management form to the LEA?

TEC [§38.032\(a\)](#), as amended by [SB 1506](#), 88th Texas Legislature, Regular Session, 2023, states that:

“the parent or guardian of a student with a seizure disorder may seek care for the student's seizures while the student is at school or participating in a school activity by submitting to the school district at which the student is enrolled a copy of a seizure management and treatment plan developed by the student's parent or guardian and the physician responsible for the student's seizure treatment.”

8. To whom should the TEA seizure management form be submitted?

Changes to law or rule do not specifically address who the seizure management form needs to be submitted to, therefore it is a local district decision to make that designation.

9. What is the frequency of submitting the TEA seizure management form?

The TEC [§38.032\(a\)\(2\)](#), as amended by [SB 1506](#), 88th Texas Legislature, Regular Session, 2023, states that the plan must be submitted to and reviewed by the district:

- before or at the beginning of the school year;
- on enrollment of the student, if the student enrolls in the district after the beginning of the school year; or
- as soon as practicable following a diagnosis of a seizure disorder for the student.

10. What are the consequences for parents if they do not fill out and submit the TEA seizure management form to the school district?

Changes to law or rule do not specify consequences for parents if the forms are not filled out and submitted to the school district.

11. What if the parent or guardian doesn't have the capability to print out the TEA seizure management form?

The law does not specifically address what to do if parents can't print out the TEA seizure management form. Possible suggestions may be for the child's treating physician to print out the form or for the district to print out the form for the parent or guardian.

12. Is the TEA seizure management form required for any student who has a seizure condition regardless of their current status, or just for students who have seizure medications in the clinic?

TEC [§38.032\(a\)](#) states that the parent or guardian of a student with a seizure disorder may seek care for the student's seizures while the student is at school or participating in a school activity. For further guidance, please consult with the LEA's legal representation.

13. Does the law specify written guidelines for filling out and submitting the TEA seizure management form for an active seizure condition versus an inactive history of the condition?

The law does not specify guidelines for active versus inactive seizure condition history; therefore, it is a local district decision. However, TEC [§38.032\(b\)\(3\)](#), as amended by [SB 1506](#), 88th Texas Legislature, Regular Session, 2023, requests any medical history significant to the student's seizure disorder be addressed on the form.

14. Can the TEA seizure management form be converted into an electronic format so LEAs, hospitals, and medical providers can use the form as an electronic health record?

TEC [§38.032](#), as amended by [SB 1506](#), 88th Texas Legislature, Regular Session, 2023, is silent on the form's format, such as print or digital. Therefore, the decision to use a print or digital form is up to the district/charter and the medical providers. However, all of the information on the TEA seizure management form must be included.

15. Is the TEA seizure management form to be reported/submitted to the Department of State Health Services (DSHS) or TEA?

No, law and rule do not require the seizure management form to be submitted to either DSHS or TEA.

16. Who at the LEA is responsible for keeping the TEA seizure management forms?

Changes to law or rule do not specifically address who is responsible for maintaining the TEA seizure management form, therefore it is a local district decision.

17. How long are LEAs supposed to keep the TEA seizure management forms?

The law does not specify how long the seizure management forms must be kept. LEAs will need to consult the Texas State Library and Archives Commission (TSLAC), Local Schedule SD, Retention Schedule for Records of Public School Districts, [Part 5: Student Health Records](#), to determine how long the forms must be kept. For further guidance, please consult with the LEA's legal representation.

18. Who is responsible for the tracking/compliance of this statutory requirement?

Changes to law or rule do not give the agency compliance monitoring authority; therefore, it is the responsibility of the LEA to ensure compliance.

19. Are school districts required to report seizures to DSHS or TEA?

No, changes to law or rule do not require LEAs to report episodes of seizures to DSHS or TEA.