

Model Language to Comply with Senate Bill (SB) 12 and Texas Education Code (TEC), §26.0083

Note: This guidance is effective as of 8/28/2025; it is subject to change.

TEC, §26.0083(g), requires each school district and open-enrollment charter school (school system) to provide the parent of each enrolled student before the first instructional day of each school year with written notice of each health-related service offered at the campus the student attends. The notice must include a statement of the parent's right to withhold consent for or decline a health-related service. Health-related service is not defined by the statute.

Although the agency is not required to create a model notice, we have done so to assist school systems in complying with the statute. While school systems are permitted to modify the language of this model language, certain requirements must be met in this notice to satisfy the statutory requirement.

In addition to the notice required under TEC, §26.0083(g), the model language below contains information related to changes in services and monitoring of a student's mental, emotional, or physical health or well-being, as described by the remaining subsections of TEC, §26.0083; however, there is no separate statutory beginning-of-school year notice requirement for those subsections.

Model Language for TEC, §26.0083(g):

You as a parent or guardian have the fundamental right to make decisions regarding the upbringing and control of your child. Our goal as a school is to be a supportive partner in that effort, providing effective academic instruction to maximize student learning. In service of that goal, we also work to support the general well-being of our students so they can remain academically focused. As you might expect, teachers and other employees will periodically inquire about a child's well-being, (e.g., asking how a student is feeling). In some cases, though, more formalized efforts may be appropriate, and if that is the case, our intent is to work in ways that are consistent with your goals as the parent.

Our school offers a variety of health-related and health care services to each student. Those services are: _____

This notice is meant to inform you of all available services, not necessarily to indicate all these services will be provided to your child. You have the right to withhold consent or decline the provision of any of these services to your child by submitting a written statement to _____.

If you have consented to the provision of health care services, medication, or a medical procedure considered by the district to be routine care and that will be provided by a person authorized by the district to provide physical or mental health related services, that consent will be considered effective until the end of the school year, unless you object.

*Note: TEC, §26.0083(g), requires written notice to parents of **each** health-related service offered at the district campus the student attends. That would include, but not be limited to, school counseling services; nutrition health and education beyond what is taught through grade-level or course instruction; physical health screenings such as scoliosis and vision; first aid; management of chronic illnesses; mental health screenings; social skills training; stress management; wellness promotion and education; medication administration; opportunities for physical activity; emotional regulation activities; substance abuse prevention; suicide prevention; crisis prevention training; and other services offered in alignment with decisions made by the local school health advisory council.*

Model language to address TEC, §26.0083(a)-(e):

School personnel are always expected to encourage your child to discuss any issues related to their well-being with you. School personnel can also facilitate a conversation between you and your child about any issues related to their well-being. Furthermore, employees are expected to keep parents informed related to observations of their child's mental, emotional, or physical health. You have the right to access your child's education and health records at any time.

Sometimes in addition to general inquiries into a student's well-being, school personnel might determine that a student needs some additional observation – called monitoring – and perhaps specific services in relation to the student's mental, emotional, or physical health or well-being. Monitoring in this context means planned and recurring observations of a student in one or more areas of mental, emotional, or physical health or well-being. A service in this context is the planned, routine, and standard use of a method or technique that is designed to affect the behavior, attitude, emotions, or physical health of a student beyond what is taught in a course of instruction. These would not include in-the-moment or unplanned interactions or techniques used to deescalate isolated behavioral incidents.

Any proposed change in services provided to a student's mental, emotional, or physical health or well-being will be shared with you before the change takes place, except in emergencies. You will have the right to withhold or decline consent for the service.

The district will attempt to notify you prior to initiating any proposed change in monitoring related to a student's mental, emotional, or physical health or well-being. If prior notification is not possible, you will be notified within ___ school days.

With certain legally required activities, such as behavioral threat assessments, district personnel must provide parental notification, but the law does not expressly allow a parent to opt-out of such activity.

Model language to address TEC, §26.0083(h):

Before administering a well-being questionnaire or a health screening form to your child, a copy will be provided to you. Consent would have to be received by you for the school to move forward with administering the questionnaire or form.

