



Input on HB 7

Regarding parental rights in education

March 18, 2025

The **Association of Texas Professional Educators (ATPE)** offers the following input on **HB 7** by Chairman Leach:

We want to acknowledge and thank Chairman Leach for his work on the critical issue of parental rights in education. Many of our educators are also parents, and we appreciate that public schools are required to be transparent and keep the local community informed about the operations of local public schools. We know that students do better when everyone is involved and working together, and we believe partnership between educators and parents should be fostered for the benefit of student success.

However, while we support the intent of the bill to provide additional transparency to parents, we do have a few key concerns to highlight to the committee.

Psychological and Psychiatric Examination or Treatment (Section 1.13)

Section (a-1) (1) defines “psychological or psychiatric examination or test” as 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.”

Section (a-2) requires educators to receive written parental consent for each activity that falls under section (a-1)(1).

Although we understand and respect the intent of this section as it applies to mental health and psychiatry as a medical practice, as well as the importance of obtaining parental consent for medical care, we have significant concerns that as drafted the bill’s prohibitions are substantially broader than simply limiting medical care without proper consent. The potential impact of requiring educators to obtain parental consent for every non-verbal check-in with a student could have a dramatically negative impact on both the general learning environment and the health and safety of individual students. Complying with such a requirement will either create significant additional administrative burden on educators or, more likely, limit an educator’s ability to form connections with students and become a trusted advisor or confidante, thus severely impeding their ability to identify issues that, left unchecked, could become dire. Many teachers do daily spot checks on students regarding mental health so they can follow up with any student who needs it. Disallowing this practice will put up barriers to a

teacher's understanding of how their students are doing and could significantly limit their ability to understand if a student is being abused or neglected at home, is suicidal, or could potentially be a harm to themselves or others. This information is vital in relation to student safety, and we are concerned about the unintended consequences of not allowing a teacher to obtain that information.

Requirement to Report Educator Misconduct to Board (Section 22A.051)

With regard to educator misconduct, we fully support appropriate consequences for educators who have been proven to have violated the law or acted inappropriately with a student. 22A.051(a)(2)(C) and 22.051(a)(2)(D), however, are vague and overly broad in defining "inappropriate communications" or "appropriate boundaries" with a student. "Appropriate" and "inappropriate" are subjective terms that often depend on the circumstance. Frankly, including such vague terms in the mandatory reporting requirements to the State Board for Educator Certification (SBEC), which could easily apply to minor scenarios under which an educator might have separated from employment, diminishes the weight of what is otherwise a very serious list. We recommend removing (a)(2)(C) and (D) or, at the very minimum, significantly clarifying those subsections to remove unnecessary and unwarranted subjectivity.

Appeals Against Districts

Section 1.01(c-1) of this bill removes appeals based on actions taken by the agency or a charter school, limiting appeals only to complaints regarding a school district. ATPE is concerned that this provision goes against the stated intent of the bill by limiting, rather than expanding, parental rights.

For additional information, contact ATPE Governmental Relations at (800) 777-2873 or government@atpe.org.