

New Laws Requiring Board Action this Summer

BY THOMPSON & HORTON



While there are a number of new laws that school districts will need to consider as they enter the new school year, a trend this year was to require school boards to officially adopt policies implementing some of the more complicated bills. As we understand that TASB may not have some of their recommended policies ready until this fall, we wanted to bring to your attention some of the more significant bills that require board action before the beginning of the school year or shortly thereafter. Attorneys from Thompson & Horton stand ready to discuss these matters with you and assist in any policy development that may be required this summer:

HB 1481 (TEC 37.082)

Boards must adopt a written policy prohibiting students from using personal communication devices (including cell phones and smart watches) on school property during the school day.

Deadline: September 18, 2025

SB 401 (TEC 33.0832)

Boards must adopt a policy if they do not want to allow homeschool students to participate in UIL activities for the 2025-2026 school year.

Deadline: September 1, 2025

SB 13 (TEC 33.026)

Boards must adopt a policy with revised provisions regarding the acquisition of library materials.

Deadline: September 1, 2025

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SB 12 (TEC 11.005(c))

Boards must adopt a policy for the appropriate discipline of employees for “intentionally or knowingly engages in or assigns to another person diversity, equity, and inclusion duties.....”

- Must by board vote certify compliance to TEA by Sept 30, 2025 (TEC 39.008)

Deadline: September 1, 2025

SB 12 (TEC 28.0022)

Boards must adopt a policy for the appropriate discipline of employees, including termination, who intentionally or knowingly engages in or assigns to another person an act prohibited by the Controversial Topics law [i.e. TEC 28.0022].

- Must by board vote certify compliance to TEA by Sept 30, 2025 (TEC 39.008)

Deadline: September 1, 2025

SB 12 / HB 12 (TEC 26.011)

Boards must adopt a policy establishing a new grievance procedure that complies with Chapter 26A, under which the board shall address each grievance [complaint] that the board receives concerning a violation of a right guaranteed by this chapter. As part of that policy, the board must include notice and an opportunity to respond to teachers or other employees against whom the complaint is made.

Deadline: September 1, 2025

SB 12 (TEC 11.401(b))

The board of trustees of a school district shall adopt a policy prohibiting an employee of the district from assisting a student enrolled in the district with social transitioning, including by providing any information about social transitioning or providing guidelines intended to assist a person with social transitioning.

Deadline: September 1, 2025

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SB 12 (TEC 26.0071)

Boards must adopt a policy establishing a parental engagement policy that:

- (1) provides for an Internet portal through which parents of students enrolled in the district may submit comments to campus or district administrators and the board;
- (2) requires the board to prioritize public comments by presenting those comments at the beginning of each board meeting; and
- (3) requires board meetings to be held outside of typical work hours.

Deadline: September 1, 2025

SB 12 (TEC 26.001)

School board shall...provide to a parent of a child on the child's enrollment in the district for the first time and to the parent of each child enrolled in the district at the beginning of each school year information about parental rights and options, including the right to withhold consent for or exempt the parent's child from certain activities and instruction, that addresses the parent's rights and options concerning:

- (A) the child's course of study and supplemental services;
- (B) instructional materials and library materials;
- (C) health education instruction under Section 28.004;
- (D) instruction regarding sexual orientation and gender identity under Section 28.0043;
- (E) school options, including virtual and remote schooling options;
- (F) immunizations under Section 38.001;
- (G) gifted and talented programs;
- (H) promotion, retention, and graduation policies;
- (I) grade, class rank, and attendance information;
- (J) state standards and requirements;
- (K) data collection practices;
- (L) health care services, including notice and consent under Section 26.0083(g);
- (M) the grievance procedure under Section 26.011; and
- (N) special education and bilingual education and special language programs.

Deadline: September 1, 2025

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Additional Notes

Although technically not part of a required board policy, several bills require changes to how school board meetings will be conducted:

- Board meetings must be held “outside of typical work hours.” (SB 12 - TEC 26.0071)
- Notice must be posted “three business days” (instead of 72 hours) in advance of meeting. (HB 1522)
- Board must prioritize public comments by presenting those comments at the beginning of each board meeting. (SB 12 - TEC 26.0071)
- Board meeting must be recorded, and new requirements as to minutes of board meeting (minutes must reflect individual votes and be posted on website within 7 days of approval) (SB 413)

All of these laws become effective September 1, 2025, and will apply to your September board meeting.

If you have any questions about these new requirements or would like assistance drafting or reviewing board policies to ensure compliance, please don't hesitate to reach out. Our team at Thompson & Horton is here to support you through every step of the process.

**Thompson
& Horton** LLP

ATTORNEYS | COUNSELORS

Houston

3200 SOUTHWEST FREEWAY
SUITE 2000
HOUSTON, TX 77027

Dallas

500 N. AKARD STREET
SUITE 3150
DALLAS, TX 75201

Austin

8300 N. MOPAC EXPRESSWAY
SUITE 220
AUSTIN, TX 78759