



October 7th, 2026

Chairwoman Campbell and Members
Senate Committee on Education
Texas Senate

RE: Written Testimony on the Implementation of Senate Bill 12 (SB 12)

Chairwoman Campbell and Members of the Committee,

Thank you for the opportunity to provide comments regarding the implementation of SB 12 and the protection of parental rights in public education.

The central principle of SB 12 is sound: parents possess the primary authority to direct the upbringing, education, and care of their children. Schools exercise authority delegated by parents and established by law. They do not replace parental judgment merely because a child enters a public-school building.

Successful implementation should therefore be measured by whether parents receive timely information, provide meaningful consent, and have an effective remedy when their rights are denied. Compliance should not be reduced to revised handbooks, additional forms, or certifications that do not change district practices.

Consent must be affirmative and informed. When the law requires written parental consent, silence, failure to return a form, or acceptance of an unrelated policy should not be treated as permission. Requests should identify the activity, service, instruction, or disclosure at issue in plain language and should not be bundled with unrelated authorizations.

The same principle applies to information concerning a child's mental, emotional, and physical well-being. Parents cannot make responsible decisions when schools conceal material information or encourage children to withhold it. At the same time, the law preserves protections when disclosure would likely expose a child to abuse or neglect. That exception should protect children facing a genuine danger without becoming a generalized justification for excluding parents from important decisions.

The Legislature should also ensure that district implementation respects the distinctions written into SB 12. Restrictions on official instruction, programming, or employee conduct do not create unlimited authority to suppress private student expression. The law expressly preserves constitutionally protected student speech that does not materially disrupt school activities. District policies should reflect that protection.

Likewise, the prohibition on specified diversity, equity, and inclusion duties should be applied according to the statutory definition rather than vague political labels. The law preserves instruction consistent with state curriculum standards, constitutional rights, legally required antidiscrimination activity, and programs designed without regard to race, sex, color, or ethnicity. Clear standards protect both parental rights and the neutral administration of the law.

Enforcement also requires due process. Employees and contractors accused of violating district policies should receive notice of the allegation, an opportunity to respond, and the appeal rights required by law.

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Protecting parental authority does not require abandoning neutral procedures. Due process makes enforcement more credible and reduces the possibility of selective or politically motivated discipline.

The new grievance framework may prove to be one of the law's most consequential reforms. Rights are of limited value if parents cannot obtain a timely decision when those rights are denied. Districts should publish accessible procedures, accept electronic submissions, preserve the record, prohibit retaliation, and decide grievances on their merits rather than dismissing them because a parent used the wrong form or initially contacted the wrong administrator.

Implementation reports should show how many grievances are filed, what rights they concern, how long resolution takes, how many are sustained or denied, and what corrective action follows. The purpose should not be to rank districts according to the number of complaints. A district with more reported grievances may simply have a more accessible process. The more meaningful questions are whether grievances receive timely consideration and whether repeated violations are corrected.

The state should also avoid turning parental rights into another centralized administrative program. The Texas Education Agency should provide clear guidance and enforce the law when necessary, but local trustees must remain directly accountable for district conduct. Parents should know which officials made a decision and how those officials can be held responsible.

SB 12 can restore the proper presumption in public education: parents are entitled to know what is happening, consent where the law requires it, and obtain relief when public institutions exceed their authority.

The 90th Legislature should evaluate implementation according to those substantive results. The question is not whether districts completed another compliance exercise. It is whether parents possess greater authority in practice than they did before the law took effect.

Thank you for your consideration.

For Liberty, For Texas!

Jeremy D. Kitchen
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