



Vision, Hearing, and Spinal Screening Program (VHSS)
Senate Bill 12, 89th Legislature, Regular Session, 2025 (SB 12) and
Parental Consent for
Vision, Hearing, and Spinal Screenings in
School Districts and Open-Enrollment Charter Schools

FREQUENTLY ASKED QUESTIONS

What is SB 12 and how does it affect vision, hearing, and spinal screenings in school districts and open-enrollment charter schools?

On September 1, 2025, [SB 12](#) went into effect. It added [Section 26.0083](#) to a part of the law called the Education Code. The new section allows parents or guardians of students enrolled in each school district and open-enrollment charter school to withhold consent for or decline consent for health-related services. This includes vision, hearing, and spinal screenings.

But the vision, hearing, and spinal screenings are required by law. How do schools follow both laws at the same time?

Chapters [36](#) and [37](#) of another part of the law called the Health and Safety Code require preschool- and school-age children to get vision, hearing, and spinal screenings with few exceptions. However, when two statutes are irreconcilable, the newer statute prevails (see Government Code [Sec. 311.025\(a\)](#)).

In other words, school districts and open-enrollment charter schools must follow the Education Code allowing parents or guardians to withhold consent or decline screenings because it is the newer law.

Are public schools still required to screen students?

Yes. School district campuses and open-enrollment charter schools must conduct screenings at the appropriate ages or grades, but only for those students whose parent or guardian has consented to a school's health-related services in general or for specific screening(s).



Is an affidavit of religious exemption or proof of screening conducted somewhere else still required if a parent or guardian declines consent for screenings?

No. Affidavits or proof of screening are no longer required. Parents or guardians can provide their individual school with proof of screening conducted somewhere else if they choose, but it is not required under the new rules.

School district campuses and open-enrollment charter schools may file proof of screenings from somewhere else in the student's health records, but they are no longer obligated to do so to meet VHSS rule requirements.

How will the Department of State Health Services (DSHS) change the vision and hearing screening rules?

The vision and hearing screening [rules](#) were updated to reflect SB 12 on February 6, 2026. DSHS is also updating information on the program website, manuals, and training materials to reflect the rule changes.

Will DSHS also change the spinal screening rules to reflect the SB 12 changes?

Yes. School district campuses and open-enrollment charter schools must provide spinal screenings at the appropriate age or grade level if a parent or guardian consents to a school's health-related services in general or spinal screening specifically. An affidavit of religious exemption or proof of screening conducted somewhere else is no longer required. DSHS does not have an anticipated date for spinal screening rule changes but will update the program website, manuals, and training materials to reflect SB 12 changes.

Should school district campuses or open-enrollment charter schools send the required spinal screening prescreening letter only to the parents or guardians that consented to a school's health-related services in general or spinal screening specifically? Will VHSS update the prescreening letter to reflect the SB 12 changes?



Yes, to both questions. The prescreening letter for spinal screening is a courtesy notice to parents and guardians to notify them of the screening date, recommend what students should wear on screening day, and explain why the screening will be performed. DSHS is updating the prescreening letter to reflect SB 12 changes and will notify stakeholders when it is ready. The letter should only go to parents and guardians who consented to health-related services in general or spinal screening specifically.

What should a school district campus or open-enrollment charter school do if a parent initially signs the SB 12 waiver consenting to a school's health-related services then later contacts the school to decline consent for a specific screening?

DSHS asks that school district campuses and open-enrollment charter schools follow their local policies and procedures when parents or guardians decline consent for a specific screening once the initial SB 12 waiver was signed at the beginning of the school year.

What should school district campuses and open-enrollment charter schools do when a parent or guardian refuses to submit the SB 12 waiver for their student?

School district campuses and open-enrollment charter schools should follow their local policies and procedures when an SB 12 waiver is not on file. School districts can also refer to the Texas Education Agency (TEA) [website](#) for more information on SB 12.

Do the school district campuses and open-enrollment charter schools need to have students' SB 12 waivers available for DSHS screening compliance visits and audits?

DSHS requests school district campuses and open-enrollment charter schools make the waivers, or a copy of the waivers, available for compliance visits and audits. School district campuses and open-enrollment charter schools may be asked to confirm which students' parents or guardians consented or declined consent for the screenings to verify reported screening numbers. School district campuses and open-enrollment charter

schools are encouraged to track this information for end of the year reporting.