

ENROLLED ACT NO. 8, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2024 BUDGET SESSION

AN ACT relating to education; specifying procedures and requirements for school districts to provide parents and guardians notice of information regarding students and the rights of parents and guardians to make decisions regarding their children; specifying that school districts cannot prohibit parental or guardian notifications and involvement in critical decisions involving students; specifying procedures for resolving parent or guardian concerns and complaints; specifying duties for school districts; requiring adoption of necessary policies, rules and procedures; and providing for effective dates.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 21-3-135 is created to read:

**21-3-135. Parental and guardian notices related to the educational, physical, mental and emotional health of students; student welfare; procedures; school district prohibitions.**

(a) Each school district shall:

(i) Notify a student's parent or guardian as soon as practicable if there is a change in the student's educational, physical, mental or emotional health or well-being. Procedures adopted under this paragraph shall reinforce the fundamental right of parents and guardians to make decisions regarding the care and control of their children by requiring school district personnel to encourage a student to discuss issues relating to his well-being with his parent or guardian or to facilitate discussion with the parent or guardian;

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(ii) Not prohibit parents or guardians from accessing any of their student's records created, maintained or used by the school district. Parents or guardians shall be provided access to their student's education, behavior, health and other records within a reasonable time;

(iii) Not adopt or implement any formal or informal rules, policies, practices or procedures that prohibit school district personnel from notifying a student's parent or guardian about the student's educational, physical, mental or emotional health or well-being or a change in the student's related services as authorized under paragraphs (a)(i) and (ii) of this section;

(iv) Not adopt or implement any formal or informal rule, policies, practices or procedures that direct or, encourage or have the effect of encouraging a student to withhold from a parent or guardian information about the student's educational, physical, mental or emotional health or well-being;

(v) Obtain written or electronic permission from each student's parent or legal guardian not less than one (1) day prior to the student participating or receiving instruction in any trainings, courses or classes that address sexual orientation or gender identity.

(b) Effective school year 2024-2025 and each school year thereafter, at the beginning of each school year, each school district shall make available to parents and guardians any routine health care services offered or provided at the student's school and provide the option for the parent or guardian to withhold consent or decline any

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routine specific health care services. Parental or guardian consent to a routine health care service shall not waive the parent's or guardian's right to access the student's educational or health care records or to be notified of a change in the student's educational, physical, mental or emotional health or well-being. Nothing in this section shall be construed as preventing school district personnel from rendering first aid to a student or summoning emergency responders in case of sudden need.

(c) Before administering a well-being questionnaire or health screening tool to a student or a group of students, each school district shall make available the questionnaire or information on the health screening tool to the parent or guardian and obtain written or verbal consent from the parent or guardian to administer the well-being questionnaire or health screening tool to the student. For purposes of this subsection, "health screening tool" means any diagnostic assessment that detects pre-clinical mental or physiological illness or diseases. Nothing in this subsection shall be construed to prohibit school district personnel from conducting audiology, vision, scoliosis or body mass index assessments required by federal law unless a parent withholds consent for that assessment in writing.

(d) Each school district shall adopt necessary rules, policies, practices and procedures for a parent or guardian to file a complaint with the school district regarding a school district's non-compliance with this section, in accordance with the following:

(i) Notwithstanding W.S. 21-2-101, to the extent that any provision of this subsection conflicts with the

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Wyoming Administrative Procedure Act, this subsection and any rules promulgated thereunder shall control;

(ii) To initiate proceedings under this subsection, a parent or guardian shall file a complaint with the school district superintendent or his designee;

(iii) The school district superintendent or his designee shall acknowledge in writing receipt of a complaint submitted under this subsection within seven (7) business days from the date of receipt of the complaint, as evidenced by the postmark;

(iv) The school district superintendent shall issue a decision in response to a complaint under this subsection not more than thirty (30) calendar days after the written acknowledgment required under paragraph (iii) of this subsection;

(v) Any parent or guardian aggrieved by a decision made by a school district superintendent under paragraph (iv) of this subsection may request a hearing before the school district's board of trustees, who shall determine facts relating to the dispute over the school district superintendent's compliance with this section, consider any information provided by the school district superintendent and render a decision within thirty (30) calendar days after receiving the request for a hearing;

(vi) Any parent or guardian aggrieved or adversely affected in fact by a final decision of a board of trustees under paragraph (v) of this subsection, may seek judicial review pursuant to W.S. 16-3-114, within thirty (30) calendar days of the decision by the board of trustees, as evidenced by the postmark;

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(vii) Each school district shall adopt necessary rules, policies and procedures to notify parents and guardians of the rights and procedures available under this subsection;

(viii) Nothing in this subsection shall be construed to abridge any other rights or remedies under law available to parents and guardians.

(e) This section shall be implemented by each school district in accordance with W.S. 14-2-206.

(f) Nothing in this section shall prohibit school districts from complying with mandatory reporting of abuse or neglect pursuant to W.S. 14-3-205. For purposes of this section, "abuse" means as defined by W.S. 14-3-202(a)(ii) and "neglect" means as defined by W.S. 14-3-202(a)(vii).

**Section 2.** W.S. 21-3-110(a) by creating a new paragraph (xlii) is amended to read:

**21-3-110. Duties of boards of trustees.**

(a) The board of trustees in each school district shall:

(xlii) Adopt policies, procedures and rules necessary to implement the provisions of W.S. 21-3-135.

**Section 3.** Not later than July 1, 2024, each school district board of trustees shall establish rules, policies and procedures in accordance with this act.

ORIGINAL SENATE  
FILE NO. SF0009

ENGROSSED

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**Section 4.**

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2024.

(b) Sections 3 and 4 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk