

By: Campbell

S.B. No. 1083

A BILL TO BE ENTITLED

AN ACT

relating to parental approval for a student's participation in human sexuality instruction in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 28.004, Education Code, is amended by amending Subsections (i) and (i-1) and adding Subsection (i-2) to read as follows:

(i) Before each school year, a school district shall provide written notice to a parent of each student enrolled in the district of the board of trustees' decision regarding whether the district will provide human sexuality instruction to district students. If instruction will be provided, the notice must include:

(1) a summary of the basic content of the district's human sexuality instruction to be provided to the student, including a statement informing the parent of the instructional requirements under state law;

(2) a statement of the parent's right to:

(A) review curriculum materials as provided by Subsection (j); and

(B) refuse consent for ~~remove~~ the student to receive all or ~~from~~ any part of the district's human sexuality instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and

1 (3) information describing the opportunities for
2 parental involvement in the development of the curriculum to be
3 used in human sexuality instruction, including information
4 regarding the local school health advisory council established
5 under Subsection (a).

6 (i-1) A parent may use the grievance procedure adopted under
7 Section 26.011 concerning a complaint of a violation of Subsection
8 (i) or (i-2).

9 (i-2) Before a student may be provided with human sexuality
10 instruction, a school district must obtain the written consent of
11 the student's parent. A request for written consent under this
12 subsection:

13 (1) may not be included with any other notification or
14 request for written consent provided to the parent, other than the
15 notice provided under Subsection (i); and

16 (2) must be provided to the parent not later than the
17 14th day before the date on which the human sexuality instruction
18 begins.

19 SECTION 2. This Act applies beginning with the 2021-2022
20 school year.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2021.