

By: Castro

H.B. No. 3134

A BILL TO BE ENTITLED

AN ACT

relating to health education curriculum and instruction in public schools.

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

SECTION 1. Section 28.004(e), Education Code, is amended to read as follows:

(e) Any course materials and instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome shall be selected by the board of trustees with the advice of the local school health advisory council and must:

(1) provide a clear understanding of abstinence from sexual activity and engaging in sexual activity;

(2) include strategies to promote effective communication between adolescents and their parents and family members about human sexuality;

(3) present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;

(4) [~~(2)~~] devote more attention to abstinence from sexual activity than to any other behavior;

(5) for circumstances in which a student is unable to abstain from sexual activity, analyze the benefits of a healthy and monogamous sexual relationship and provide detailed information

1 about local agencies that provide relationship support and
2 counseling;

3 (6) [(3)] emphasize that abstinence from sexual
4 activity, if used consistently and correctly, is the only method
5 that is 100 percent effective in preventing pregnancy, sexually
6 transmitted diseases, and infection with human immunodeficiency
7 virus or acquired immune deficiency syndrome, and is the preferred
8 method to prevent any [the] emotional trauma that may be associated
9 with adolescent sexual activity;

10 (7) [(4)] direct adolescents to a standard of behavior
11 in which abstinence from sexual activity before marriage is the
12 most effective way to prevent pregnancy, sexually transmitted
13 diseases, and infection with human immunodeficiency virus or
14 acquired immune deficiency syndrome;

15 (8) for circumstances in which a student is unable to
16 abstain from sexual activity, provide detailed information on
17 testing for and preventing transmission of sexually transmitted
18 diseases; [and]

19 (9) [(5)] teach contraception and condom use in a
20 medically accurate manner that addresses the health benefits of
21 contraception and condom use and the [terms of] human use reality
22 rates instead of theoretical laboratory rates, if instruction on
23 contraception and condoms is included in curriculum content;

24 (10) address the legal rights of victims of sexual
25 assault, including sexual abuse, and identify local agencies that
26 assist victims of sexual assault or that work to prevent sexual
27 assault;

1 (11) address the economic and emotional requirements
2 of fatherhood; and

3 (12) describe local services available to students who
4 are unable to abstain from sexual activity, including services for
5 adolescents who are pregnant or need postnatal medical care, child
6 care, or educational services.

7 SECTION 2. A school district that uses textbooks or other
8 course materials that do not reflect the requirements prescribed by
9 Section 28.004(e), Education Code, as amended by this Act, shall
10 also use appropriate supplemental instructional materials as
11 necessary to comply with those requirements.

12 SECTION 3. This Act applies beginning with the 2005-2006
13 school year.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2005.