

By: Callegari, Flynn, Anderson

H.B. No. 3297

Substitute the following for H.B. No. 3297:

By: Callegari

C.S.H.B. No. 3297

A BILL TO BE ENTITLED

AN ACT

1
2 relating to paperwork requirements and unfunded mandates imposed on
3 school districts.

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

5 SECTION 1. Section 7.060, Education Code, is amended by
6 adding Subsection (c) to read as follows:

7 (c) In addition to the requirements otherwise prescribed by
8 this section, the commissioner shall adopt policies that result in
9 a reduction of at least 10 percent in the total amount of written
10 paperwork, reports, and other information that a school district is
11 required by the agency to prepare, as determined in comparison to
12 the total amount of written paperwork, reports, and other
13 information required to be prepared by a school district during the
14 2006-2007 school year. The policies must be implemented beginning
15 not later than the 2008-2009 school year. This subsection expires
16 September 1, 2009.

17 SECTION 2. Sections 28.004(a), (b), (d), (e), and (k),
18 Education Code, are amended to read as follows:

19 (a) The board of trustees of each school district may
20 ~~[shall]~~ establish a local school health advisory council to assist
21 the district in ensuring that local community values are reflected
22 in the district's health education instruction.

23 (b) A school district must consider the recommendations of
24 the local school health advisory council, if one has been

1 established, before changing the district's health education
2 curriculum or instruction.

3 (d) If the [~~The~~] board of trustees establishes a local
4 school health advisory council, the board shall appoint the members
5 of [~~to~~] the [~~local school health advisory~~] council. A majority of
6 the members must be persons who are parents of students enrolled in
7 the district and who are not employed by the district. The board of
8 trustees also may appoint one or more persons from each of the
9 following groups or a representative from a group other than a group
10 specified under this subsection:

- 11 (1) public school teachers;
- 12 (2) public school administrators;
- 13 (3) district students;
- 14 (4) health care professionals;
- 15 (5) the business community;
- 16 (6) law enforcement;
- 17 (7) senior citizens;
- 18 (8) the clergy; and
- 19 (9) nonprofit health organizations.

20 (e) Any course materials and instruction relating to human
21 sexuality, sexually transmitted diseases, or human
22 immunodeficiency virus or acquired immune deficiency syndrome
23 shall be selected by the board of trustees with the advice of the
24 local school health advisory council, if one has been established,
25 and must:

- 26 (1) present abstinence from sexual activity as the
27 preferred choice of behavior in relationship to all sexual activity

1 for unmarried persons of school age;

2 (2) devote more attention to abstinence from sexual
3 activity than to any other behavior;

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

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

15 (5) teach contraception and condom use in terms of
16 human use reality rates instead of theoretical laboratory rates, if
17 instruction on contraception and condoms is included in curriculum
18 content.

19 (k) A school district shall publish in the student handbook
20 and post on the district's Internet website, if the district has an
21 Internet website:

22 (1) a statement of the policies adopted to ensure that
23 elementary school, middle school, and junior high school students
24 engage in at least 30 minutes per school day or 135 minutes per
25 school week of physical activity; and

26 (2) a statement of:

27 (A) the number of times during the preceding year

1 the district's school health advisory council has met, if one has
2 been established;

3 (B) whether the district has adopted and enforces
4 policies to ensure that district campuses comply with agency
5 vending machine and food service guidelines for restricting student
6 access to vending machines; and

7 (C) whether the district has adopted and enforces
8 policies and procedures that prescribe penalties for the use of
9 tobacco products by students and others on school campuses or at
10 school-sponsored or school-related activities.

11 SECTION 3. Section 176.009(a), Local Government Code, is
12 amended to read as follows:

13 (a) A local governmental entity shall provide access to the
14 statements and questionnaires filed under this chapter on the
15 Internet website maintained by the local governmental entity. This
16 subsection does not apply to a school district.

17 SECTION 4. Section 38.0025, Education Code, is repealed.

18 SECTION 5. This Act takes effect September 1, 2007.