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. This Act may be cited as the Texas Education Works Act.

SECTION 2. Section 28.004, Education Code, is amended by
amending Subsection (e) and adding Subsection (m) 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) present medically accurate and age-appropriate
information;

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

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

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

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

(5) provide information about the health benefits, effectiveness, and safety of methods approved by the United States Food and Drug Administration for reducing the risk of contracting sexually transmitted diseases;

(6) provide information about the health benefits, effectiveness, and safety in preventing pregnancy of all contraceptive methods approved by the United States Food and Drug Administration;

(7) provide information on local resources for testing for and obtaining medical care for sexually transmitted diseases;

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

(9) address the economic and emotional requirements of parenthood;

(10) encourage students to develop healthy life skills, including goal setting, decision making, refusal and
negotiation, and effective communication;

(11) teach skills for making responsible decisions about sexual activity, including how to avoid unwanted verbal or physical sexual advances and how to avoid making unwanted verbal or physical sexual advances;

(12) teach how drug and alcohol use may affect responsible decision making; and

(13) help students develop healthy attitudes and values concerning growth and development, body image, and relationships [teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in curriculum content].

(m) In this section:

(1) "Age-appropriate information" means information, including topics, messages, and teaching methods, that is suitable for the particular ages or age groups of children and adolescents to whom the information is to be presented based on the developing cognitive, emotional, and behavioral capacity of children or adolescents of that age or age group.

(2) "Medically accurate information" means information that is:

(A) verified or supported by the weight of research conducted in compliance with accepted scientific methods;

(B) published in peer reviewed journals, if appropriate; and

(C) recognized as accurate, objective, and
complete by mainstream professional organizations and agencies with expertise in the relevant field, including:

(i) the Centers for Disease Control and Prevention;

(ii) the American College of Obstetricians and Gynecologists;

(iii) the American Academy of Pediatrics;

(iv) the American Public Health Association;

(v) the American Academy of Family Physicians;

(vi) the Infectious Diseases Society of America; and

(vii) the American Psychological Association.

SECTION 3. (a) A school district that uses textbooks or other course materials that do not reflect the requirements prescribed by Section 28.004(e), Education Code, as amended by this Act, shall also use appropriate supplemental instructional materials as necessary to comply with those requirements.

(b) A school district that permits a person not employed by the district to present one or more components of the district's human sexuality instruction must require the person to comply with the requirements prescribed by Section 28.004(e), Education Code, as amended by this Act.

SECTION 4. This Act applies beginning with the 2009-2010 school year.
SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.