

By: Turner of Tarrant

H.B. No. 1351

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 (o) 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) must present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for ~~[unmarried]~~ persons of school age;

(2) must devote sufficient ~~[more]~~ attention to abstinence from sexual activity to emphasize the importance of abstinence from sexual activity ~~[than to any other behavior]~~;

(3) must 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 infections ~~[diseases]~~, sexually transmitted infection

1 with human immunodeficiency virus, ~~[or]~~ acquired immune deficiency
2 syndrome resulting from sexual activity, and the emotional distress
3 that may be ~~[trauma]~~ associated with adolescent sexual activity
4 that results in a sexually transmitted infection or an unintended
5 pregnancy;

6 (4) must present age-appropriate information ~~[direct~~
7 ~~adolescents to a standard of behavior in which abstinence from~~
8 ~~sexual activity before marriage is the most effective way to~~
9 ~~prevent pregnancy, sexually transmitted diseases, and infection~~
10 ~~with human immunodeficiency virus or acquired immune deficiency~~
11 ~~syndrome]~~; ~~[and]~~

12 (5) must be medically accurate and, to the extent
13 possible, evidence-based;

14 (6) must provide information about the effectiveness,
15 proper use, health benefits, and side effects of methods approved
16 by the United States Food and Drug Administration for reducing the
17 risk of contracting sexually transmitted infections, including
18 human immunodeficiency virus, and preventing pregnancy;

19 (7) must include strategies to promote effective
20 communication between adolescents and their parents, legal
21 guardians, and other family members about sexuality and healthy
22 relationships;

23 (8) must encourage students to develop healthy life
24 skills, including goal setting, critical thinking, problem
25 solving, responsible decision-making regarding sexuality and
26 relationships, refusal and negotiation, and effective
27 communication;

1 (9) must teach skills for making responsible decisions
2 about sexual activity, including how to avoid unwanted verbal or
3 physical sexual advances and how to avoid making unwanted verbal or
4 physical sexual advances; and

5 (10) may not promote bias against:

6 (A) students of any race, gender, sexual
7 orientation, or ethnic or cultural background;

8 (B) sexually active students;

9 (C) children with disabilities; or

10 (D) students with children [~~teach contraception~~
11 ~~and condom use in terms of human use reality rates instead of~~
12 ~~theoretical laboratory rates, if instruction on contraception and~~
13 ~~condoms is included in curriculum content~~].

14 (o) In this section:

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

21 (2) "Evidence-based" means:

22 (A) verified or supported by research that is:

23 (i) in compliance with accepted scientific
24 methods; and

25 (ii) published in peer-reviewed journals,
26 if appropriate; and

27 (B) proven, through rigorous scientific

1 evaluation, to achieve positive outcomes concerning risky sexual
2 behaviors or negative health consequences from risky sexual
3 behaviors.

4 (3) "Medically accurate" means objective, complete,
5 and consistent with information available from mainstream
6 professional organizations and agencies with expertise in the
7 relevant field, including the Centers for Disease Control and
8 Prevention and the United States Department of Health and Human
9 Services' Office of Adolescent Health.

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

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

20 SECTION 4. This Act applies beginning with the 2015-2016
21 school year.

22 SECTION 5. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2015.