

By: Watson

S.B. No. 726

A BILL TO BE ENTITLED

AN ACT

1
2 relating to notice to parents of public school students regarding
3 human sexuality instruction.

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

5 SECTION 1. The legislature finds that:

6 (1) Texas led the nation in 2010 in the rate of teenage
7 mothers who had second children, according to the Centers for
8 Disease Control and Prevention;

9 (2) approximately 22 percent of births in Texas by
10 girls age 15 to 19 were repeat births in 2010, compared to 18.3
11 percent in the United States;

12 (3) an estimated 82 percent of teen births are
13 unintended and cost American taxpayers approximately \$9.4 billion a
14 year and cost Texas taxpayers \$1.1 billion in 2010, according to the
15 National Campaign to Prevent Teen and Unplanned Pregnancy;

16 (4) the only certain way to avoid the termination of an
17 unwanted pregnancy is to prevent the unwanted pregnancy;

18 (5) the state has a compelling state interest in
19 ensuring that there is appropriate knowledge of how a pregnancy
20 occurs and how a pregnancy can be avoided;

21 (6) according to the Centers for Disease Control and
22 Prevention, effective strategies to prevent teen pregnancy include
23 evidence-based teen pregnancy prevention programs that address
24 specific protective factors based on knowledge, skills, beliefs, or

1 attitudes related to teen pregnancy, including knowledge of sexual
2 issues, sexually transmitted diseases, infection with human
3 immunodeficiency virus, acquired immune deficiency syndrome,
4 pregnancy, and methods of pregnancy prevention; and

5 (7) the state has a compelling state interest in
6 ensuring that parents are informed of the type of human sexuality
7 instruction their child is receiving in school.

8 SECTION 2. Section 28.004, Education Code, is amended by
9 amending Subsection (i) and adding Subsection (p) to read as
10 follows:

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

16 (1) a summary of the basic content of the district's
17 human sexuality instruction to be provided to the student,
18 including a statement informing the parent that the instruction is
19 required by [of the instructional requirements under] state law to:

20 (A) present abstinence from sexual activity as
21 the preferred choice of behavior in relationship to all sexual
22 activity for unmarried persons of school age; and

23 (B) devote more attention to abstinence from
24 sexual activity than to any other behavior;

25 (2) a statement of whether the instruction is
26 considered by the district to be abstinence-only instruction or
27 comprehensive instruction, including an explanation of the

1 difference between those types of instruction and a specific
2 statement regarding whether the student will receive:

3 (A) information on contraception, and if
4 information will be received, whether the information to be
5 received:

6 (i) is medically accurate, objective, and
7 complete; and

8 (ii) addresses the effectiveness of the
9 contraceptive methods discussed in the curriculum; and

10 (B) medically accurate information regarding the
11 effectiveness of condoms in preventing a sexually transmitted
12 disease or infection;

13 (3) a statement identifying the provider of the human
14 sexuality curriculum and, if available, the provider's Internet
15 website;

16 (4) [~~2~~] a statement of the parent's right to:

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

19 (B) remove the student from any part of the
20 district's human sexuality instruction without subjecting the
21 student to any disciplinary action, academic penalty, or other
22 sanction imposed by the district or the student's school; and

23 (5) [~~3~~] information describing the opportunities
24 for parental involvement in the development of the curriculum to be
25 used in human sexuality instruction, including information
26 regarding the local school health advisory council established
27 under Subsection (a).

1 (p) In this section, "medically accurate" means supported
2 by peer-reviewed research conducted in compliance with accepted
3 scientific methods and recognized as accurate by leading
4 professional organizations and agencies with relevant experience,
5 including the Centers for Disease Control and Prevention and the
6 United States Department of Health and Human Services Office of
7 Adolescent Health.

8 SECTION 3. This Act applies beginning with the 2015-2016
9 school year.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2015.