

By: Campbell

S.B. No. 1094

A BILL TO BE ENTITLED

AN ACT

relating to parental rights regarding a student's participation in human sexuality instruction in public schools.

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

SECTION 1. Section 28.004, Education Code, is amended by amending Subsections (i), (i-1), and (j) and adding Subsections (i-2) and (j-1) to read as follows:

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

(1) a summary of the basic content of the district's human sexuality instruction to be provided to the student, including a statement informing the parent of the instructional requirements under state law;

(2) a statement of the parent's right to:

(A) review or request a copy of curriculum materials as provided by Subsection (j); and

(B) refuse consent for ~~remove~~ the student to receive all or ~~from~~ any part of the district's human sexuality instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and

1 (3) information describing the opportunities for
2 parental involvement in the development of the curriculum to be
3 used in human sexuality instruction, including information
4 regarding the local school health advisory council established
5 under Subsection (a).

6 (i-1) A parent may use the grievance procedure adopted under
7 Section 26.011 concerning a complaint of a violation of Subsection
8 (i) or (i-2).

9 (i-2) Before a student may be provided with human sexuality
10 instruction, a school district must obtain the written consent of
11 the student's parent. A request for written consent under this
12 subsection:

13 (1) may not be included with any other notification or
14 request for written consent provided to the parent, other than the
15 notice provided under Subsection (i); and

16 (2) must be provided to the parent not later than the
17 14th day before the date on which the human sexuality instruction
18 begins.

19 (j) A school district shall:

20 (1) make all curriculum materials used in the
21 district's human sexuality instruction available for reasonable
22 public inspection; and

23 (2) on request by a parent of a student enrolled in the
24 district, provide to the parent a copy of all curriculum materials
25 used in the district's human sexuality instruction.

26 (j-1) A school district may charge a reasonable fee in
27 accordance with Subchapter F, Chapter 552, Government Code, for

1 copies of curriculum materials provided to a parent under
2 Subsection (j).

3 SECTION 2. This Act applies beginning with the 2017-2018
4 school year.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2017.