

By: González of El Paso

H.B. No. 972

A BILL TO BE ENTITLED

AN ACT

relating to healthy relationships education in public schools.

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

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.0041 to read as follows:

Sec. 28.0041. HEALTHY RELATIONSHIPS EDUCATION. (a) In this section, "age-appropriate" means suitable to particular ages or age groups of children or adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

(b) A school district shall provide healthy relationships education in accordance with this section at grade levels and in courses specified by the State Board of Education.

(c) The State Board of Education by rule shall adopt the essential knowledge and skills for curricula to be used by a school district in providing healthy relationships education under this section that are age-appropriate and supported by research that is peer-reviewed, conducted in compliance with accepted scientific methods, and recognized as accurate by leading professional organizations and agencies with relevant experience. As age-appropriate, the curricula must promote relationship, communication, and decision-making skills, including strategies to:

(1) develop healthy, age-appropriate relationships;

1 (2) develop healthy life skills, including critical
2 thinking, problem solving, effective communication, and
3 responsible decision making about relationships; and

4 (3) promote effective communication between
5 adolescents and their parents, legal guardians, or other family
6 members about relationships.

7 (d) A school district shall make all curriculum materials
8 used in the district's healthy relationships education available
9 for reasonable public inspection.

10 (e) A student shall be excused from healthy relationships
11 education on the written request of a parent or legal guardian
12 without being subjected to any disciplinary action, academic
13 penalty, or other sanction imposed by the school district or the
14 student's school.

15 (f) A parent or legal guardian may use the grievance
16 procedure adopted under Section 26.011 concerning a complaint of a
17 violation of this section.

18 (g) Before each school year, a school district shall provide
19 written notice to a parent or legal guardian of each student
20 enrolled in the district of the intent to provide healthy
21 relationships education under this section. The notice must
22 include:

23 (1) a summary of the basic content of the healthy
24 relationships education to be provided to the student;

25 (2) a description of the curricula requirements for
26 healthy relationships education under Subsection (c);

27 (3) a statement of the parent's or legal guardian's

1 right to:

2 (A) review curriculum materials as provided by
3 Subsection (d);

4 (B) remove the student from any part of the
5 district's healthy relationships education as provided by
6 Subsection (e); and

7 (C) use the grievance procedure adopted under
8 Section 26.011 concerning a complaint of a violation of this
9 section, as provided by Subsection (f); and

10 (4) information regarding any opportunities for the
11 parent or legal guardian to participate in the development of
12 curricula for healthy relationships education.

13 SECTION 2. Section 12.104(b), Education Code, as amended by
14 Chapters 262 (H.B. 1597), 464 (S.B. 11), 467 (H.B. 4170), and 943
15 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, is
16 reenacted and amended to read as follows:

17 (b) An open-enrollment charter school is subject to:

18 (1) a provision of this title establishing a criminal
19 offense;

20 (2) the provisions in Chapter 554, Government Code;
21 and

22 (3) a prohibition, restriction, or requirement, as
23 applicable, imposed by this title or a rule adopted under this
24 title, relating to:

25 (A) the Public Education Information Management
26 System (PEIMS) to the extent necessary to monitor compliance with
27 this subchapter as determined by the commissioner;

- 1 (B) criminal history records under Subchapter C,
2 Chapter 22;
- 3 (C) reading instruments and accelerated reading
4 instruction programs under Section 28.006;
- 5 (D) accelerated instruction under Section
6 28.0211;
- 7 (E) high school graduation requirements under
8 Section 28.025;
- 9 (F) special education programs under Subchapter
10 A, Chapter 29;
- 11 (G) bilingual education under Subchapter B,
12 Chapter 29;
- 13 (H) prekindergarten programs under Subchapter E
14 or E-1, Chapter 29;
- 15 (I) extracurricular activities under Section
16 33.081;
- 17 (J) discipline management practices or behavior
18 management techniques under Section 37.0021;
- 19 (K) health and safety under Chapter 38;
- 20 (L) public school accountability under
21 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;
- 22 (M) the requirement under Section 21.006 to
23 report an educator's misconduct;
- 24 (N) intensive programs of instruction under
25 Section 28.0213;
- 26 (O) the right of a school employee to report a
27 crime, as provided by Section 37.148;

1 (P) bullying prevention policies and procedures
2 under Section 37.0832;

3 (Q) the right of a school under Section 37.0052
4 to place a student who has engaged in certain bullying behavior in a
5 disciplinary alternative education program or to expel the student;

6 (R) the right under Section 37.0151 to report to
7 local law enforcement certain conduct constituting assault or
8 harassment;

9 (S) a parent's right to information regarding the
10 provision of assistance for learning difficulties to the parent's
11 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

12 (T) establishment of residency under Section
13 25.001*i*;

14 (U) [~~(T)~~] school safety requirements under
15 Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115,
16 37.207, and 37.2071*i*;

17 (V) [~~(T)~~] the early childhood literacy and
18 mathematics proficiency plans under Section 11.185; [~~and~~]

19 (W) [~~(U)~~] the college, career, and military
20 readiness plans under Section 11.186; and

21 (X) healthy relationships education under
22 Section 28.0041.

23 SECTION 3. This Act applies beginning with the 2022-2023
24 school year.

25 SECTION 4. To the extent of any conflict, this Act prevails
26 over another Act of the 87th Legislature, Regular Session, 2021,
27 relating to nonsubstantive additions to and corrections in enacted

1 codes.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2021.