

By: Campbell

S.B. No. 1082

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to parental access to curriculum materials used in a  
3 public school's human sexuality instruction.

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

5 SECTION 1. Sections 26.006(a) and (c), Education Code, are  
6 amended to read as follows:

7 (a) A parent is entitled to:

8 (1) review all teaching materials, instructional  
9 materials, and other teaching aids used in the classroom of the  
10 parent's child, including curriculum materials used in any human  
11 sexuality instruction provided to the child; and

12 (2) review each test administered to the parent's  
13 child after the test is administered.

14 (c) A student's parent is entitled to request that the  
15 school district or open-enrollment charter school the student  
16 attends allow the student to take home any instructional materials  
17 used by the student. Subject to the availability of the  
18 instructional materials, the district or school shall honor the  
19 request. A student who takes home instructional materials must  
20 return the instructional materials to school at the beginning of  
21 the next school day if requested to do so by the student's teacher.  
22 A school district or open-enrollment charter school must provide  
23 the instructional materials to the student in printed format if the  
24 student does not have reliable access to technology at the

1 student's home. In this subsection, "instructional material" has  
2 the meaning assigned by Section 31.002 and includes curriculum  
3 materials used in the district's or school's human sexuality  
4 instruction.

5 SECTION 2. Section 28.004(i), Education Code, is amended to  
6 read as follows:

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

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

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

17 (A) review curriculum materials as provided by  
18 Section 26.006 [~~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 (3) information describing the opportunities for  
24 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 SECTION 3. Section 28.004(j), Education Code, is repealed.

2 SECTION 4. This Act applies beginning with the 2021-2022  
3 school year.

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