

By: Campbell

S.B. No. 1082

A BILL TO BE ENTITLED

AN ACT

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

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

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

(a) A parent is entitled to:

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

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

(c) A student's parent is entitled to request that the school district or open-enrollment charter school the student attends allow the student to take home any instructional materials used by the student. Subject to the availability of the instructional materials, the district or school shall honor the request. A student who takes home instructional materials must return the instructional materials to school at the beginning of the next school day if requested to do so by the student's teacher. A school district or open-enrollment charter school must provide the instructional materials to the student in printed format if the 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.