

1-1 By: Campbell S.B. No. 1082  
 1-2 (In the Senate - Filed March 5, 2021; March 18, 2021, read  
 1-3 first time and referred to Committee on Education; April 30, 2021,  
 1-4 reported favorably by the following vote: Yeas 10, Nays 0;  
 1-5 April 30, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Hall	X			
1-11 Hughes	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Perry	X			
1-15 Powell	X			
1-16 Schwertner			X	
1-17 West	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to parental access to curriculum materials used in a  
 1-22 public school's human sexuality instruction.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 26.006(a) and (c), Education Code, are  
 1-25 amended to read as follows:

1-26 (a) A parent is entitled to:

1-27 (1) review all teaching materials, instructional  
 1-28 materials, and other teaching aids used in the classroom of the  
 1-29 parent's child, including curriculum materials used in any human  
 1-30 sexuality instruction provided to the child; and

1-31 (2) review each test administered to the parent's  
 1-32 child after the test is administered.

1-33 (c) A student's parent is entitled to request that the  
 1-34 school district or open-enrollment charter school the student  
 1-35 attends allow the student to take home any instructional materials  
 1-36 used by the student. Subject to the availability of the  
 1-37 instructional materials, the district or school shall honor the  
 1-38 request. A student who takes home instructional materials must  
 1-39 return the instructional materials to school at the beginning of  
 1-40 the next school day if requested to do so by the student's teacher.  
 1-41 A school district or open-enrollment charter school must provide  
 1-42 the instructional materials to the student in printed format if the  
 1-43 student does not have reliable access to technology at the  
 1-44 student's home. In this subsection, "instructional material" has  
 1-45 the meaning assigned by Section 31.002 and includes curriculum  
 1-46 materials used in the district's or school's human sexuality  
 1-47 instruction.

1-48 SECTION 2. Section 28.004(i), Education Code, is amended to  
 1-49 read as follows:

1-50 (i) Before each school year, a school district shall provide  
 1-51 written notice to a parent of each student enrolled in the district  
 1-52 of the board of trustees' decision regarding whether the district  
 1-53 will provide human sexuality instruction to district students. If  
 1-54 instruction will be provided, the notice must include:

1-55 (1) a summary of the basic content of the district's  
 1-56 human sexuality instruction to be provided to the student,  
 1-57 including a statement informing the parent of the instructional  
 1-58 requirements under state law;

1-59 (2) a statement of the parent's right to:

1-60 (A) review curriculum materials as provided by  
 1-61 Section 26.006 [~~Subsection (j)~~]; and

2-1 (B) remove the student from any part of the  
2-2 district's human sexuality instruction without subjecting the  
2-3 student to any disciplinary action, academic penalty, or other  
2-4 sanction imposed by the district or the student's school; and

2-5 (3) information describing the opportunities for  
2-6 parental involvement in the development of the curriculum to be  
2-7 used in human sexuality instruction, including information  
2-8 regarding the local school health advisory council established  
2-9 under Subsection (a).

2-10 SECTION 3. Section 28.004(j), Education Code, is repealed.

2-11 SECTION 4. This Act applies beginning with the 2021-2022  
2-12 school year.

2-13 SECTION 5. This Act takes effect immediately if it receives  
2-14 a vote of two-thirds of all the members elected to each house, as  
2-15 provided by Section 39, Article III, Texas Constitution. If this  
2-16 Act does not receive the vote necessary for immediate effect, this  
2-17 Act takes effect September 1, 2021.

2-18

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