

BILL ANALYSIS

Senate Research Center
88R12357 MEW-D

C.S.S.B. 410
By: Paxton
Education
4/13/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 28.002(a)(2)(B), Education Code, stipulates that the public education curriculum includes health instruction as one of the enrichment curriculum subjects. Previously, the Texas Legislature has directed the State Board of Education (SBOE) to incorporate certain important content areas to the state's health curriculum for certain grade levels, such as substance abuse awareness and bullying prevention. S.B. 410 will accomplish the same for instruction in fetal development. By placing direction that the SBOE shall include fetal development in the Texas Essential Knowledge and Skills (TEKS), the state's curriculum standards, into statute, S.B. 410 will ensure that fetal development instruction remains in the health TEKS beyond just the current review cycle.

A human being begins its life and development while still in the womb, and thus excluding fetal development from the health curriculum shortchanges Texas students from fully understanding the human development process. As such, the absence of such instruction would impede the goal of enabling Texas' students to make informed decisions relating to their health in the future.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 410 amends current law relating to fetal development instruction included as part of the public school health curriculum in certain grade levels.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Education in SECTION 1 (Section 28.002, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.002, Education Code, by adding Subsection (x), as follows:

(x) Requires the State Board of Education (SBOE) to adopt rules requiring students enrolled in grade levels seven and eight to receive instruction on fetal development as part of the essential knowledge and skills for the health curriculum required under Subsection (a)(2)(B) (relating to requiring each school district that offers kindergarten through 12th grade to offer an enrichment curriculum that includes discussion of both physical and mental health). Requires that the instruction include:

(1) information on:

(A) the human reproductive process, pregnancy, and infertility; and

(B) the prevention of birth defects, including information on the effect of drugs, alcohol, and environmental hazards such as lead; and

(2) a description of the growth and development of an unborn child that occur during each trimester of pregnancy.

SECTION 2. Amends Section 28.004(c), Education Code, as follows:

(c) Provides that the local school health advisory council's duties include recommending:

(1)-(6) makes no changes to these subdivisions;

(7)-(8) makes nonsubstantive changes to these subdivisions; and

(9) appropriate curriculum for the instruction on fetal development described by Section 28.002(x), provided that the local school health advisory council's recommendations under this subdivision do not conflict with the essential knowledge and skills developed by SBOE under Subchapter A (Essential Knowledge and Skills; Curriculum).

SECTION 3. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 4. Effective date: upon passage or September 1, 2023.