

By: Paxton, Middleton

S.B. No. 410

A BILL TO BE ENTITLED

AN ACT

relating to fetal development instruction included as part of the public school health curriculum in certain grade levels.

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

SECTION 1. Section 28.002, Education Code, is amended by adding Subsection (x) to read as follows:

(x) The State Board of Education shall 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). The instruction must 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. Section 28.004(c), Education Code, is amended to read as follows:

(c) The local school health advisory council's duties include recommending:

(1) the number of hours of instruction to be provided

1 in:

2 (A) health education in kindergarten through
3 grade eight; and

4 (B) if the school district requires health
5 education for high school graduation, health education, including
6 physical health education and mental health education, in grades 9
7 through 12;

8 (2) policies, procedures, strategies, and curriculum
9 appropriate for specific grade levels designed to prevent physical
10 health concerns, including obesity, cardiovascular disease, Type 2
11 diabetes, and mental health concerns, including suicide, through
12 coordination of:

13 (A) health education, which must address
14 physical health concerns and mental health concerns to ensure the
15 integration of physical health education and mental health
16 education;

17 (B) physical education and physical activity;

18 (C) nutrition services;

19 (D) parental involvement;

20 (E) instruction on substance abuse prevention;

21 (F) school health services, including mental
22 health services;

23 (G) a comprehensive school counseling program
24 under Section [33.005](#);

25 (H) a safe and healthy school environment; and

26 (I) school employee wellness;

27 (3) appropriate grade levels and methods of

1 instruction for human sexuality instruction;

2 (4) strategies for integrating the curriculum
3 components specified by Subdivision (2) with the following elements
4 in a coordinated school health program for the district:

5 (A) school health services, including physical
6 health services and mental health services, if provided at a campus
7 by the district or by a third party under a contract with the
8 district;

9 (B) a comprehensive school counseling program
10 under Section 33.005;

11 (C) a safe and healthy school environment; and

12 (D) school employee wellness;

13 (5) if feasible, joint use agreements or strategies
14 for collaboration between the school district and community
15 organizations or agencies;

16 (6) strategies to increase parental awareness
17 regarding:

18 (A) risky behaviors and early warning signs of
19 suicide risks and behavioral health concerns, including mental
20 health disorders and substance use disorders; and

21 (B) available community programs and services
22 that address risky behaviors, suicide risks, and behavioral health
23 concerns;

24 (7) appropriate grade levels and curriculum for
25 instruction regarding opioid addiction and abuse and methods of
26 administering an opioid antagonist, as defined by Section 483.101,
27 Health and Safety Code; ~~and~~

1 (8) appropriate grade levels and curriculum for
2 instruction regarding child abuse, family violence, dating
3 violence, and sex trafficking, including likely warning signs that
4 a child may be at risk for sex trafficking, provided that the local
5 school health advisory council's recommendations under this
6 subdivision do not conflict with the essential knowledge and skills
7 developed by the State Board of Education under this subchapter;
8 and

9 (9) appropriate curriculum for the instruction on
10 fetal development described by Section 28.002(x), provided that the
11 local school health advisory council's recommendations under this
12 subdivision do not conflict with the essential knowledge and skills
13 developed by the State Board of Education under this subchapter.

14 SECTION 3. This Act applies beginning with the 2023-2024
15 school year.

16 SECTION 4. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2023.