

BILL ANALYSIS

Senate Research Center
89R1043 ANG-F

S.B. 371
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Education K-16
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 371 is a re-file of S.B. 1083 from the 88th Legislative Session. Many school districts in Texas educate students on sexual education, which includes sexual health, sexual reproduction, sexuality and other topics that parents often feel are best addressed in the home. It is common practice to make such courses opt-out, which automatically enrolls all students, but allows parents to remove their children from instruction without penalty. However, sometimes parents are unaware of the course material, or are not notified effectively about the course or curriculum.

S.B. 371 eliminates the confusion for families by making sexual education an opt-in course, which will require written permission from a parent/legal guardian before a student can attend such a class. Parents may also opt a student into specific lessons or topics.

This bill requires that public schools must obtain written parental consent before a student can participate in human sexuality instruction. The bill enhances parental oversight by ensuring explicit approval is granted before students receive any form of sex education.

Key Provision

1. Amends Section 28.004 of the Education Code, directing the school district to create an opt-in policy for their sex education courses/lessons.
2. The request for consent cannot be combined with any other notifications or consent requests (except for the required notice under Subsection (i)) and must be provided at least 14 days before the instruction begins.

As proposed, S.B. 371 amends current law relating to parental approval for a student's participation in human sexuality instruction in public schools.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.004, Education Code, by adding Subsection (i-2), as follows:

(i-2) Requires a school district to obtain the written consent of a student's parent before the student is authorized to be provided with human sexuality instruction. Provides that a request for written consent under this subsection is:

- (1) prohibited from being included with any other notification or request for written consent provided to the parent, other than the notice provided under Subsection (i) (relating to a written notice provided by a school district to parents regarding human sexuality instruction); and

(2) required to be provided to the parent not later than the 14th day before the date on which the human sexuality instruction begins.

SECTION 2. Provides that this Act applies beginning with the 2025–2026 school year.

SECTION 3. Effective date: upon passage or September 1, 2025.