

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1396
By: Hall
Education K-16
3/18/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When parents opt for their children to participate in sex education, they expect the material to be presented in an unbiased manner that implements the Texas Essential Knowledge and Skills (TEKS) for Health Education. This code states that students should acquire age-appropriate knowledge concerning fetal development, reproduction, and sexual health.

Currently, there are schools using "national sex education standards," which promote specific ideological beliefs in the classroom. These standards were developed by the Future of Sex Education (FoSE) Initiative, in collaboration with organizations such as Planned Parenthood, the Guttmacher Institute, Advocates for Youth, and the Gay, Lesbian, and Straight Education Network (GLSEN), among others. These organizations promote a strong ideology and biased perspective that should not be included in school education.

These national sex education standards outline performance indicators for students in grades 2, 5, 8, and 12. In second grade, students learn the "proper names for body parts, concepts of female and male autonomy, and how to identify different family structures." By fifth grade, they are introduced to topics such as "reproductive systems and sexual orientation, defined as the romantic attraction of an individual to someone of the same gender or a different gender."

By eighth grade, students learn how to describe the "correct steps for using a condom, identify medically accurate information about emergency contraception, and locate medically accurate sources of information and support related to pregnancy options." As they reach twelfth grade, the curriculum continues to build upon these topics, encouraging students to compare and contrast laws related to pregnancy, adoption, abortion, and parenting.

This Bill Would:

- Define "national sexuality education standards" as the national standards developed by the Future of Sex Education;
- Prohibit the State Board of Education (SBOE) from adopting national sexuality education standards;
- Prohibit any school or open-enrollment charter school from offering any aspect of national sexuality education standards; and
- Prohibit sexual education training based on national sexuality education standards.

The Committee Substitute Would:

- Make a slight change to the caption, from "sexuality" to "sex" and conforming changes throughout the rest of the bill;
- Expand the definition of "national sex education standards" to any national "common core" standards.
- Not prevent SBOE from adopting standards that align with the TEKS for Health Education, which are based on Texas family values.

C.S.S.B. 1396 amends current law relating to prohibiting the adoption or use of national sex education standards 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 Sections 28.002(b-1), (b-2), and (b-4), Education Code, as follows:

(b-1) Defines "national sex education standards."

(b-2) Prohibits the State Board of Education from adopting common core state standards or national sex education standards to comply with a duty imposed under Chapter 28 (Courses of Study; Advancement).

(b-4) Prohibits a school district or open-enrollment charter school, notwithstanding any other provision of the Education Code, from being required to offer any aspect of a common core state standards curriculum or any aspect of the national sex education standards.

SECTION 2. Amends Section 28.004(e), Education Code, to require that any course materials and instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome be selected by the board of trustees of a school district with the advice of the local school health advisory council and meet certain requirements, including being prohibited from being based on national sex education standards, as defined by Section 28.002(b-1), and to make nonsubstantive changes.

SECTION 3. Provides that this Act applies beginning with the 2025–2026 school year.

SECTION 4. Effective date: upon passage or September 1, 2025.