

By: Paxton, et al.

S.B. No. 205

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 age-appropriate and medically accurate instruction on fetal development as part of the essential knowledge and skills for the health curriculum required under Subsection (a)(2)(B). The board may adopt rules requiring students enrolled in other grade levels to receive age-appropriate and medically accurate instruction on fetal development. 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 in:

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

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

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

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

(B) physical education and physical activity;

(C) nutrition services;

(D) parental involvement;

(E) instruction on substance abuse prevention;

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

(G) a comprehensive school counseling program under Section 33.005;

(H) a safe and healthy school environment; and

(I) school employee wellness;

(3) appropriate grade levels and methods of instruction for human sexuality instruction;

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

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

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

(C) a safe and healthy school environment; and

(D) school employee wellness;

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

(6) strategies to increase parental awareness regarding:

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

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

(7) appropriate grade levels and curriculum for

instruction regarding the dangers of opioids, including instruction on:

(A) opioid addiction and abuse, including addiction to and abuse of synthetic opioids such as fentanyl; and

(B) methods of administering an opioid antagonist, as defined by Section 483.101, Health and Safety Code; ~~and~~

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

SECTION 3. This Act applies beginning with the 2025-2026 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.