

By: Reynolds

H.B. No. 5056

A BILL TO BE ENTITLED

AN ACT

relating to human sexuality education in public schools.

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

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.0042 to read as follows:

Sec. 28.0042. HUMAN SEXUALITY EDUCATION. (a) In this section:

(1) "Age-appropriate" means suitable to particular ages or age groups of children or adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

(2) "Medically accurate" means supported by peer-reviewed research conducted in compliance with accepted scientific methods and recognized as accurate by leading professional organizations and agencies with relevant experience, such as the American Medical Association.

(b) A school district shall provide human sexuality education in accordance with this section at grade levels specified by the State Board of Education.

(c) The State Board of Education by rule shall adopt the essential knowledge and skills for medically accurate, age-appropriate curricula to be used by a school district in providing human sexuality education under this section. As age-appropriate, the curricula must:

1 (1) be inclusive of same-sex couples when discussing
2 or providing examples of relationships, and include affirming
3 information regarding gender identity, gender expression, and
4 sexual orientation;

5 (2) cover human sexuality, pregnancy, and sexually
6 transmitted infections, including:

7 (A) human immunodeficiency virus (HIV) and
8 acquired immune deficiency syndrome (AIDS);

9 (B) methods of transmission, including
10 intravenous drug use;

11 (C) strategies to reduce the risk of HIV
12 infection;

13 (D) social and public health issues related to
14 HIV and AIDS; and

15 (E) treatment of HIV and other sexually
16 transmitted infections;

17 (3) discuss human sexuality as a normal and healthy
18 aspect of human development;

19 (4) discuss local resources for sexual and
20 reproductive health care, including how to access those resources;

21 (5) emphasize that abstinence from sexual activity, if
22 used consistently and correctly, is the only method that is 100
23 percent effective in preventing pregnancy and sexually transmitted
24 infections;

25 (6) provide information about the effectiveness, side
26 effects, and proper use of the methods approved by the United States
27 Food and Drug Administration for preventing unintended pregnancy

1 and reducing the risk of contracting sexually transmitted
2 infections;

3 (7) promote relationship, communication, and
4 decision-making skills, including strategies to:

5 (A) develop healthy, age-appropriate
6 relationships;

7 (B) develop healthy life skills, including
8 critical thinking, problem solving, effective communication, and
9 responsible decision making about sexuality and relationships; and

10 (C) promote effective communication between
11 adolescents and their parents, legal guardians, or other family
12 members about sexuality and relationships; and

13 (8) discuss information and resources relating to
14 sexual harassment, sexual assault, adolescent relationship abuse,
15 intimate partner violence, and sex trafficking.

16 (d) A school district may separate students according to sex
17 when providing instruction under this section.

18 (e) A school district shall make all curriculum materials
19 used in the district's human sexuality education available for
20 reasonable public inspection.

21 (f) A student shall be excused from human sexuality
22 education on the written request of a parent or legal guardian
23 without being subjected to any disciplinary action, academic
24 penalty, or other sanction imposed by the school district or the
25 student's school.

26 (g) Before each school year, a school district shall provide
27 written notice to a parent or legal guardian of each student

enrolled in the district of the intent to provide human sexuality education under this section. The notice must include:

(1) a summary of the basic content of the human sexuality education to be provided to the student; and

(2) a statement of the parent's or legal guardian's right to:

(A) review curriculum materials as provided by Subsection (e); and

(B) remove the student from any part of the district's human sexuality education as provided by Subsection (f).

SECTION 2. Sections 28.004(c) and (j), Education Code, are 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:

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

5 (B) physical education and physical activity;

6 (C) nutrition services;

7 (D) parental involvement;

8 (E) instruction on substance abuse prevention;

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

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

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

14 (I) school employee wellness;

15 (3) policies adopted by the district regarding the
16 human sexuality education provided under Section
17 28.0042 ~~[appropriate grade levels and methods of instruction for~~
18 ~~human sexuality instruction]~~;

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

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

26 (B) a comprehensive school counseling program
27 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.

(j) A school district shall make all curriculum materials used in the district's ~~[human sexuality instruction or]~~ instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking~~[7]~~ available by:

(1) for curriculum materials in the public domain:

(A) providing a copy of the curriculum materials by mail or e-mail to a parent of a student enrolled in the district on the parent's request; and

(B) posting the curriculum materials on the district's Internet website, if the district has an Internet website; and

(2) for copyrighted curriculum materials, allowing a parent of a student enrolled in the district to:

(A) review the curriculum materials at the student's campus at any time during regular business hours;

(B) purchase a copy of the curriculum materials from the publisher as provided by the district's purchase agreement for the curriculum materials under Subsection ~~[(j-1) or]~~ (j-2); or

(C) review the curriculum materials online through a secure electronic account in a manner that prevents the curriculum materials from being copied and that otherwise complies with copyright law.

SECTION 3. Sections 28.004(e), (e-1), (e-2), (e-3), (g), (h), (i), (j-1), and (p)(2), Education Code, are repealed.

SECTION 4. This Act applies beginning with the 2025-2026 school year.

1 SECTION 5. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2025.