



WHAT DOES TEXAS LAW SAY ABOUT SEX EDUCATION?

While school districts have a great deal of local control over sex education, they must follow state law around the content of education materials, the adoption process for curriculum, and parent permission and notification. Most of our laws about sex education are found in Section 28.004 of the Texas Education Code. These laws cover:

- **School Health Advisory Councils (SHACs):** The law creates SHACs, which are parent and community volunteer groups charged with ensuring that local community values are reflected in health education instruction. The law requires SHACs to post meeting notices, meeting minutes, and meeting recordings online. The Education Code requires SHACs to make a recommendation to the school board of which sex education curriculum should be adopted. Other SHAC duties include making recommendations for topics such as suicide prevention, opioid abuse prevention, recess policy, and more. SHAC members are appointed by the school board and the SHAC must meet at least 4 times per year.
- **Curriculum adoption:** State law requires sex education curriculum to be adopted by school boards, on the recommendation of SHACs, with at least two public SHAC meetings. School boards must issue a resolution instructing SHACs to make a recommendation about sex ed content, and the board must approve the curriculum through a record vote at a public meeting.
- **Sex education content:** Instruction related to human sexuality must stress abstinence from sexual activity for students as the preferred and safest choice of behavior and spend more time teaching abstinence than any other topic. If education on contraception and condoms is included, schools must teach "human use reality rates" regarding efficacy.
- **Parent rights:** School districts must provide extensive notification to parents on the content of sex ed classes and the approximate date content will be provided. Parents must provide consent to actively opt their children into sex education (this provision is only in place through 2024). Parents have the right to review curriculum online or at their home campus, and have the right to purchase sex education curriculum. Public domain materials must be posted online.
- **What laws don't include:** Sex education in Texas is not required under statute, though Health Education is required for middle schoolers and newly adopted curriculum standards include sex education content at the middle school level. Information is not required in statute to be medically accurate.

What are TEKS?

The State Board of Education (SBOE) adopted new curriculum standards for Health Education in November 2020. These new standards will go into effect in the 2022-23 school year. The Texas Essential Knowledge and Skills, or TEKS, describe the minimum standards students must learn in each class and grade level.

New Health Education TEKS cover a wide range of age-appropriate information, including content on anatomy, puberty, human reproduction, contraception and condoms, prevention of sexually transmitted infections, healthy relationships, prevention of sexual abuse, sex trafficking, and domestic violence. Health TEKS also include extensive content on nutrition, physical health, mental health, injury and violence prevention, drug and alcohol abuse prevention, and other health topics.



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New Curriculum Standards

High-quality sex education supports adolescent health, teen pregnancy prevention, and healthy relationships. In November 2020, for the first time in more than two decades, the State Board of Education (SBOE) adopted new minimum curriculum standards that guide sex education in Texas. These newly adopted Texas Essential Knowledge and Skills, or TEKS, for Health Education include many improvements across a wide array of topics, including sexual and reproductive health. Health Education is an elective at the high school level but required in middle school, and key sex ed topics will now be offered at the middle school level. Many school districts do not currently offer sex education, and will need to adopt updated curriculum to align with new TEKS by the 2022-23 school year.

New TEKS include:

- Age-appropriate, timely information on key topics like anatomy, puberty, menstruation and human reproduction.
- Information on contraception, condoms, and prevention, screening and treatment of sexually transmitted infections (STIs), now required at the middle and high school levels.
- The importance of abstinence.
- Standards on healthy relationships, such as prevention of sexual abuse, dating violence, sex trafficking, and in support of topics such as healthy communication and respect. While the standards teach the importance of respecting the boundaries of other people, they do not include consent.
- Standards do not include language acknowledging LGBTQ students. However, districts may choose to include content that is inclusive of LGBTQ students, including bullying prevention.



To view the new Health TEKS, scan this code.