

1-1 By: Paxton, Middleton S.B. No. 410
 1-2 (In the Senate - Filed January 12, 2023; February 15, 2023,
 1-3 read first time and referred to Committee on Education;
 1-4 April 24, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 11, Nays 1; April 24, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			
1-21		X		

1-22 COMMITTEE SUBSTITUTE FOR S.B. No. 410 By: Middleton

1-23 A BILL TO BE ENTITLED
 1-24 AN ACT

1-25 relating to fetal development instruction included as part of the
 1-26 public school health curriculum in certain grade levels.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Section 28.002, Education Code, is amended by
 1-29 adding Subsection (x) to read as follows:

1-30 (x) The State Board of Education shall adopt rules requiring
 1-31 students enrolled in grade levels seven and eight to receive
 1-32 instruction on fetal development as part of the essential knowledge
 1-33 and skills for the health curriculum required under Subsection
 1-34 (a)(2)(B). The instruction must include:

1-35 (1) information on:

1-36 (A) the human reproductive process, pregnancy,
 1-37 and infertility; and

1-38 (B) the prevention of birth defects, including
 1-39 information on the effect of drugs, alcohol, and environmental
 1-40 hazards such as lead; and

1-41 (2) a description of the growth and development of an
 1-42 unborn child that occur during each trimester of pregnancy.

1-43 SECTION 2. Section 28.004(c), Education Code, is amended to
 1-44 read as follows:

1-45 (c) The local school health advisory council's duties
 1-46 include recommending:

1-47 (1) the number of hours of instruction to be provided
 1-48 in:

1-49 (A) health education in kindergarten through
 1-50 grade eight; and

1-51 (B) if the school district requires health
 1-52 education for high school graduation, health education, including
 1-53 physical health education and mental health education, in grades 9
 1-54 through 12;

1-55 (2) policies, procedures, strategies, and curriculum
 1-56 appropriate for specific grade levels designed to prevent physical
 1-57 health concerns, including obesity, cardiovascular disease, Type 2
 1-58 diabetes, and mental health concerns, including suicide, through
 1-59 coordination of:

1-60 (A) health education, which must address

2-1 physical health concerns and mental health concerns to ensure the
2-2 integration of physical health education and mental health
2-3 education;
2-4 (B) physical education and physical activity;
2-5 (C) nutrition services;
2-6 (D) parental involvement;
2-7 (E) instruction on substance abuse prevention;
2-8 (F) school health services, including mental
2-9 health services;
2-10 (G) a comprehensive school counseling program
2-11 under Section 33.005;
2-12 (H) a safe and healthy school environment; and
2-13 (I) school employee wellness;
2-14 (3) appropriate grade levels and methods of
2-15 instruction for human sexuality instruction;
2-16 (4) strategies for integrating the curriculum
2-17 components specified by Subdivision (2) with the following elements
2-18 in a coordinated school health program for the district:
2-19 (A) school health services, including physical
2-20 health services and mental health services, if provided at a campus
2-21 by the district or by a third party under a contract with the
2-22 district;
2-23 (B) a comprehensive school counseling program
2-24 under Section 33.005;
2-25 (C) a safe and healthy school environment; and
2-26 (D) school employee wellness;
2-27 (5) if feasible, joint use agreements or strategies
2-28 for collaboration between the school district and community
2-29 organizations or agencies;
2-30 (6) strategies to increase parental awareness
2-31 regarding:
2-32 (A) risky behaviors and early warning signs of
2-33 suicide risks and behavioral health concerns, including mental
2-34 health disorders and substance use disorders; and
2-35 (B) available community programs and services
2-36 that address risky behaviors, suicide risks, and behavioral health
2-37 concerns;
2-38 (7) appropriate grade levels and curriculum for
2-39 instruction regarding opioid addiction and abuse and methods of
2-40 administering an opioid antagonist, as defined by Section 483.101,
2-41 Health and Safety Code; ~~and~~
2-42 (8) appropriate grade levels and curriculum for
2-43 instruction regarding child abuse, family violence, dating
2-44 violence, and sex trafficking, including likely warning signs that
2-45 a child may be at risk for sex trafficking, provided that the local
2-46 school health advisory council's recommendations under this
2-47 subdivision do not conflict with the essential knowledge and skills
2-48 developed by the State Board of Education under this subchapter;
2-49 and
2-50 (9) appropriate curriculum for the instruction on
2-51 fetal development described by Section 28.002(x), provided that the
2-52 local school health advisory council's recommendations under this
2-53 subdivision do not conflict with the essential knowledge and skills
2-54 developed by the State Board of Education under this subchapter.
2-55 SECTION 3. This Act applies beginning with the 2023-2024
2-56 school year.
2-57 SECTION 4. This Act takes effect immediately if it receives
2-58 a vote of two-thirds of all the members elected to each house, as
2-59 provided by Section 39, Article III, Texas Constitution. If this
2-60 Act does not receive the vote necessary for immediate effect, this
2-61 Act takes effect September 1, 2023.

2-62 * * * * *