Sec. 1. DEFINITIONS

For purposes of this policy:

"Curriculum materials" include the curriculum, teacher training materials, and any other materials used in providing instruction.

"Human sexuality instruction," "instruction in human sexuality," and "instruction relating to human sexuality" include instruction in reproductive health.

Tex. Educ. Code § 28.004(p).

Sec. 2. CURRICULUM MATERIALS FOR HUMAN SEXUALITY INSTRUCTION

a) *Course Material and Instruction Requirements*

Any course materials and instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome shall be selected by the Board with the advice of the local School Health Advisory Council ("SHAC").

The course materials and instruction must:

1. Present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;
2. Devote more attention to abstinence from sexual activity than to any other behavior;
3. Emphasize that abstinence from sexual activity, if used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with human immunodeficiency virus or acquired immune deficiency syndrome, and the emotional trauma associated with adolescent sexual activity;
4. Direct adolescents to a standard of behavior in which abstinence from sexual activity before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with human immunodeficiency virus or acquired immune deficiency syndrome; and
5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates if instruction on contraception and condoms is included in curriculum content.

Tex. Educ. Code § 28.004(e).

b) *Adoption Requirements*

The Board shall adopt a resolution convening the SHAC for the purpose of making recommendations regarding the curriculum materials. Tex. Educ. Code § 28.004(e-1)(1).

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The SHAC shall:

1. After the Board adopts the resolution described above, hold at least two public meetings on the curriculum materials before adopting recommendations; and
2. Provide its recommendations to the Board during a public meeting.

Tex. Educ. Code § 28.004(e-1)(2).

c) *Board Action Following Receipt of the SHAC Recommendations*

The Board shall determine the specific content of Academy of Accelerated Learning, Inc.'s (AAL), instruction in human sexuality. Tex. Educ. Code § 28.004(h). The Board must consider the recommendations of the SHAC before changing AAL's human sexuality curriculum or instruction. *Tex. Educ. Code § 28.004(b).*

The Board, after receipt of the SHAC's recommendations, must take action on the adoption of the recommendations by a record vote at a public board. *Tex. Educ. Code § 28.004 (e-1)(3).*

Before adopting curriculum materials for AAL's human sexuality instruction, the Board shall ensure that the curriculum materials are:

1. Based on the advice of the SHAC;
2. Suitable for the subject and grade level for which the curriculum materials are intended; and
3. Reviewed by academic experts in the subject and grade level for which the curriculum materials are intended.

Tex. Educ. Code § 28.004(e-3).

d) *Additional Duties Relating to the Adoption of Curriculum and Materials for Human Sexuality Instruction*

1) Written Notice to Parents Required Annually

Before each school year, AAL shall provide written notice to a parent of each student enrolled of the Board's decision regarding whether AAL will provide human sexuality instruction to its students. If instruction will be provided, the notice must include:

1. a statement informing the parent of the human sexuality instruction requirements under state law;

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2. a detailed description of the content of AAL's human sexuality instruction and a general schedule on which the instruction will be provided;
3. a statement of the parent's right to:
    a. at the parent's discretion, review or purchase a copy of curriculum materials;
    b. remove the student from any part of school's human sexuality instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by AAL or the student's campus; and
    c. use AAL grievance procedure concerning a complaint of a violation;
4. a statement that any curriculum materials in the public domain used for AAL's human sexuality instruction must be posted on the school's Internet website, if the school has an Internet website, and the Internet website address at which the curriculum materials are located; and
5. information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the SHAC.

Tex. Educ. Code § 28.004(i).

2) Prior Written Consent from Parents

Before a student may be provided with human sexuality instruction, AAL must obtain the written consent of the student's parent. A request for written consent:

1. May not be included with any other notification or request for written consent provided to the parent, other than the notice provided under Subsection 1, above; and
2. Must be provided to the parent not later than the 14th day before the date on which the human sexuality instruction begins.

Tex. Educ. Code § 28.004(i-2).

3) Proposed Curriculum Availability

Curriculum materials proposed to be adopted for AAL's human sexuality instruction must be made available by one of the following methods, as applicable:

1. For curriculum materials in the public domain, by providing a copy of the curriculum materials by mail or e-mail to a parent of a student enrolled on the parent's request and by posting the curriculum materials on the school's Internet website, if the school has an Internet website; or
2. For copyrighted curriculum materials, allowing a parent of a student enrolled in AAL to review the curriculum materials at the student's campus at any time during regular business hours or to review the curriculum materials online through a secure electronic account in a

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manner that prevents the curriculum materials from being copied and that otherwise complies with copyright law.

Tex. Educ. Code §28.004(e-2(j)(1), (j)(2)(A), (j)(2)(C).

4) No Condom Distribution

AAL may not distribute condoms in connection with instruction relating to human sexuality. *Tex. Educ. Code § 28.004(f)*.

5) Separate Instruction

If AAL provides human sexuality instruction, students may be separated according to sex for instructional purposes. *Tex. Educ. Code § 28.004(g).*

Sec. 3. CURRICULUM MATERIALS FOR INSTRUCTION RELATING TO THE PREVENTION OF CHILD ABUSE, FAMILY VIOLENCE, DATING VIOLENCE, AND SEX TRAFFICKING.

Course materials relating to the prevention of child abuse, family violence, dating violence, and sex trafficking shall be selected by the Board with the advice of the SHAC.
Tex. Educ. Code § 28.004(q).

a) Board Resolution to Convene the SHAC for the Purpose of Making Recommendations Regarding Curriculum Materials

The Board shall adopt a resolution convening the SHAC for the purpose of making recommendations regarding curriculum materials for the prevention of child abuse, family violence, dating violence and sex trafficking. *Tex. Educ. Code § 28.004(q-1)(1).*

The Board resolution shall direct the SHAC to:

1. After the Board's adoption of the resolution, hold at least two public meetings on the curriculum materials before adopting recommendations for the Board; and
2. provide its recommendations to the Board at a public meeting.

Tex. Educ. Code § 28.004 (q-1)(2).

b) Board Action Following Receipt of the SHAC Recommendations

The Board shall determine the specific content of AAL's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking in accordance with the essential

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knowledge and skills addressing these topics developed by the State Board of Education. *Tex. Educ. Code § 28.004(q-4).* The Board must consider the recommendations of the SHAC before changing AAL's curriculum or instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking. *Tex. Educ. Code § 28.004(b).*

After receipt of the SHAC's recommendations, the Board shall take action on the adoption of the recommendations by a record vote at a public meeting. *Tex. Educ. Code § 28.004(q-1)(3).*

Before adopting curriculum materials for AAL's instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking, the Board shall ensure that the curriculum materials are:

1. based on the advice of the SHAC;
2. suitable for the subject and grade level for which the curriculum materials are intended; and
3. reviewed by academic experts in the subject and grade level for which the curriculum materials are intended.

Tex. Educ. Code § 28.004(q-3).

c) Additional Duties Relating to the Adoption of Curriculum and Materials for Human Sexuality Instruction

1) Annual Written Notice to Parents

Before each school year, AAL shall provide written notice to a parent of each student enrolled of the Board's decision regarding whether the school will provide instruction to its students relating to the prevention of child abuse, family violence, dating violence, and sex trafficking.

If instruction will be provided, the notice must include:

1. A statement informing the parent of the requirements under state law regarding instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking;
2. A detailed description of the content of AAL's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking;
3. A statement of the parent's right to:
    a. At the parent's discretion, review or purchase a copy of curriculum materials as described by Section 4 of this policy;
    b. Remove the student from any part of school's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, without

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subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by AAL or the student's campus; and

c. Use the school's grievance procedure concerning a complaint of a violation;

4. A statement that any curriculum materials in the public domain used for AAL's instruction in the prevention of child abuse, family violence, dating violence, and sex trafficking must be posted on the school's Internet website, if the school has an Internet website, and the Internet website address at which the curriculum materials are located; and
5. Information describing the opportunities for parental involvement in the development of the curriculum to be used in instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, including information regarding the SHAC.

Tex. Educ. Code § 28.004(q-5).

2) Prior Written Consent from Parents

Before a student may be provided with instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, AAL must obtain the written consent of the student's parent. A request for written consent from the parent:

1. May not be included with any other notification or request for written consent provided to the parent, other than parent notice as described above, and
2. Must be provided to the parent not later than the 14th day before the date on which the instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking begins.

Tex. Educ. Code § 28.004(q-6).

3) Proposed Curriculum Availability

Curriculum materials proposed to be adopted for the school's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking must be made publicly available by one of the following methods:

AAL shall make all curriculum materials used in the school's human sexuality instruction or instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, 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 on the parent's request; and

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b. Posting the curriculum materials on the school's Internet website, if the school has an Internet website.

2. For copyrighted curriculum materials, allowing a parent of a student enrolled in the school 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 school's purchase agreement for the curriculum materials; 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.

Tex. Educ. Code § 28.004(j).

If AAL purchases from a publisher copyrighted curriculum materials for use in the school's human sexuality instruction or instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, AAL shall ensure that the purchase agreement provides for a means by which a parent of a student enrolled in the school may purchase a copy of the curriculum materials from the publisher at a price that does not exceed the price per unit paid by AAL for the curriculum materials.

Tex. Educ. Code § 28.004(j-1),(j-2).

Sec. 4. INSTRUCTION REGARDING SEXUAL ORIENTATION AND GENDER IDENTITY

AAL may not provide or allow a third party to provide instruction, guidance, activities, or programming regarding sexual orientation or gender identity to students enrolled in prekindergarten through 12th grade. *Tex. Educ. Code § 28.0043(a).*

This section may not be construed to:

1. Limit a student's ability to engage in speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, that does not result in material disruption to school activities;
2. Limit the ability of a person who is authorized by AAL to provide physical or mental health-related services to provide the services to a student, subject to any required parental consent; or
3. Prohibit an organization whose membership is restricted to one sex and whose mission does not advance a political or social agenda from meeting on a school campus.

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