



Child Abuse, Family Violence, Dating Violence, and Human Trafficking Frequently Asked Questions April 14, 2022

1. Are school districts required to offer instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking to district students?

Instruction regarding child abuse, family violence, dating violence, and sex trafficking that is included in the Texas Essential Knowledge and Skills (TEKS) must be offered to district students. A decision to provide instruction related to child abuse, family violence, dating violence, and sex trafficking that is not included in the TEKS is determined by a district's board of trustees after consideration of the advice of the district's school health advisory committee (SHAC).

2. If a district decides to teach the prevention of child abuse, family violence, dating violence, and sex trafficking, what is required to be taught?

[TEC, §28.004\(q-4\)](#), as added by SB 9, 87th Texas Legislature, Second Called Session, 2021, requires the board of trustees of each local school district to determine the specific content of the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking in accordance with this subchapter, which must include any essential knowledge and skills addressing these topics developed by the State Board of Education (SBOE).

3. Are school districts required to teach all the Texas Essential Knowledge and Skills (TEKS) for health education or may it omit the standards related the prevention of child abuse, family violence, dating violence, and sex trafficking?

The TEKS are the state education standards that identify what Texas students should know and be able to do by the end of each grade level and course in each subject of the required curriculum. [19 Texas Administrative Code \(TAC\) §74.1\(a\)\(2\)\(B\)](#) states that school districts offering K-12 instruction must offer an enrichment curriculum that includes health education. A school district may add elements at its discretion but must not delete or omit instruction in the enrichment curriculum, including the injury and violence prevention and safety and reproductive and sexual health strands of the new health TEKS which address the prevention of child abuse, family violence, dating violence, and sex trafficking.

4. If a district's only instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking is aligned to what is required by the TEKS, must the district obtain parental consent?

Yes. [TEC, §28.004\(q-6\)](#), requires that before a student may receive any instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking a district must obtain written consent from the student's parent.

5. Does TEA provide a list of child abuse, family violence, dating violence, and human trafficking instruction curricula?

No. TEA is not authorized to provide such a list. [TEC, §28.004\(q\)](#), as added by SB 9, 87th Texas Legislature, Second Called Session, 2021, requires that any course materials relating to the prevention of child abuse, family violence, dating violence, and sex trafficking must be selected by the board of trustees with the advice of the local SHAC.

6. If a district is considering state adopted instructional materials for health education that have been approved by TEA, will these materials still need to be vetted by our SHAC and approved at a school board meeting if they have information pertaining to child abuse, family violence, dating violence, and sex trafficking?

Yes. In accordance with [TEC, §28.004\(q\)](#), a district board of trustees is required to select, with the advice of the local SHAC, any course materials relating to the prevention of child abuse, family violence, dating violence, and sex trafficking.

7. If a district already had a child abuse, family violence, dating violence, and sex trafficking curriculum in place prior to the enactment of SB 9, is the school board required to review and approve the existing curriculum, or is the district only required to review new curriculum adopted after the enactment of the legislation?

Changes in law are directed to the local school district, and districts will need to work with their legal counsel to address the changes to determine the best course of action for their district.

8. If an outside organization wants to speak about instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking to a student club or organization that meets after school hours, does the board need to adopt a resolution convening the SHAC to review the organization's curriculum/materials?

No. [TEC, §28.004\(q\)](#), only requires the board of trustees to select course materials related to the prevention of child abuse, family violence, dating violence, and sex trafficking. Districts are not required to review curriculum and materials used for other purposes.

9. If an outside organization wants to speak about instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking to parents, grandparents, guardians, and other community members at meetings after school hours, does the board need to adopt a resolution convening the SHAC to review the organization's curriculum/materials?

No. [TEC, §28.004\(q\)](#), only requires the board of trustees to select course materials related to the prevention of child abuse, family violence, dating violence, and sex trafficking. Districts are not required to review curriculum and materials used for other purposes.

10. What are school districts required to do to inform parents about instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking?

In accordance with [TEC, §28.004\(q-5\)](#), as added by SB 9, 87th Texas Legislature, Second Called Session, 2021, before each school year school districts are required to provide written notice to a parent of each student enrolled in the district about the school board's decision regarding whether to provide instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking. If such instruction is to be provided, the written notice must include each of the following:

- A statement of the requirements under state law
- A detailed description of the district's instruction
- Information on the parent's right to review or purchase a copy of instructional materials, to remove the student from any part of the district's instruction, and the use of the grievance procedure concerning complaints of violation of TEC, §28.004
- A statement indicating that materials used in the public domain must be posted on the district's Internet website
- Information describing opportunities for parental involvement in the development of curriculum to be used in related instruction, including information that ensures local community values are reflected in the district's health education instruction.

11. Does the agency have a sample template for providing written notice to parents regarding instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking?

No. In accordance with [TEC, §28.004\(q-5\)](#), the written notice is required to provide detailed information specific to each district's local policy regarding instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking.

12. Are districts required to obtain parental approval if a student will receive instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking?

Yes. [TEC, §28.004\(q-6\)](#), as added by Senate Bill (SB) 9, 87th Texas Legislature, Second Called Session, 2021, requires that before a student may receive instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking a district must obtain written

consent from the student's parent. The request for parental consent must be provided to the parent not later than the 14th day before the day on which such instruction will begin. Additionally, the request may not be included with any other notification or request to the parent other than the required notice whether a district will provide instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking.

13. Do parents have the right to opt their child out of instruction relating to child abuse, family violence, dating violence, and sex trafficking?

Yes. [TEC, §28.004\(q-5\)\(3\)\(B\)](#), states that a parent has the right to remove the student from any part of the district's instruction relating to child abuse, family violence, dating violence, and sex trafficking without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school.

14. Are districts still required to send home written notification and obtain written consent if a district is not purchasing a curriculum that addresses child abuse, family violence, dating violence, and sex trafficking and is only providing instruction in the TEKS?

Yes. [TEC, §28.004\(q-5\)](#), requires districts to provide written notice that provides detailed information specific to each district's local policy regarding instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking.