**July 25, 2022**

Re: **Comments to House Public Education Committee**

Thank you, Chair Dutton, members of the committee. My name is Molly Clayton, and I am Executive Director of the Texas Campaign to Prevent Teen Pregnancy, and I am here testifying on the interim charge relating to House Bill 1525.

The Texas Campaign to Prevent Teen Pregnancy is a non-profit, non-partisan organization whose mission is to reduce teen pregnancy through research, training, advocacy, and collaboration. We pursue policies that are medically accurate, data-driven, and evidence-based. We do not take a position on abortion. All of our work is focused on ensuring every Texas teen has access to the resources and information needed to avoid unintended pregnancy.

Texas has the 9th highest teen birth rate and the highest repeat teen birth rate in the nation. We also have more teen births than any other state in the nation. The best outcomes for children and families happen when parents are fully prepared to handle the responsibilities that come with parenthood. For this reason, we envision a Texas where all teens reach their full potential by making healthy choices for their bodies and futures. To build this reality, we work to ensure young Texans have access to medically and scientifically accurate sexual health information, which can be a powerful tool in avoiding unintended teen pregnancy.

The Texas Campaign firmly supports the long-standing right of parents to opt their children out of sex education. We believe parents are the first and most important teachers of their children and that parents have a fundamental right to be in charge of their children’s education.

Prior to the 87th regular legislative session, parents in Texas had the right to opt their children out of any coursework to which they objected within a Texas public school, similar to policies in 45 other states across the U.S.

Unfortunately, a late floor amendment in the Senate was added to HB 1525 made changes to sex education which may result in students most in need of receiving sexual health information being left behind. The amendment required that instead of having the choice of opting their child out of the instruction, parents are required to opt-in in order for the child to participate. The House added a 2024 sunset provision in conference committee. A bill in the special session also expanded the opt-in requirement to instruction on prevention of abuse and sex trafficking.

**We urge this committee to allow the opt-in provision to sunset in 2024 and revert back to opt-out so that our most vulnerable students receive vital health information.**

Our research shows that a large, bipartisan majority of Texas parents strongly support school-based sex education for their children, and that the students themselves want to receive this information from reliable sources rather than their peers or the internet, which are popular alternatives with questionable accuracy.

Decades of research show that the vast majority of parents who fail to return consent forms for sex ed did not actually intend to deny permission – they just didn’t overcome barriers to return the form. The parents who were most likely to miss the form were low income families, families of color, and families of academically low achieving students. For these students, many of whom are at a statistically higher risk of experiencing a teen pregnancy, school-based sex education may be their only opportunity to information which would help them avoid it. We support parental rights to determine their child’s education, but we are concerned that children whose parents are absent, incarcerated, disengaged, or just plain busy working long hours to support their families may miss critical information. We are especially concerned about the impact on youth in the foster care system, who have extremely high rates of teen pregnancy.

Early research results from the University of Texas Health Science Center on the implementation of the new opt-in provision, including the percentage of students whose families fail to return permission forms, are concerning. Educators are already overburdened and overwhelmed. Districts are reporting significant administrative burden associated with opt in, and low rates of families returning forms. They’re especially concerned by language in the law stating that permission forms can’t go out with any other communications, such as being placed in the start of year registration packet. This red tape unnecessarily burdens districts without doing anything to improve transparency for parents. We are also hearing confusion from our child welfare partners on the ground regarding who is allowed to sign sex education permission forms for students in the foster care system.

The Texas State Board of Education went through a rigorous, thoughtful process to adopt the new minimum standards for sexual health education curriculum in public schools. Recent legislation also increased parent access to sexual health curriculum and parent involvement in the adoption process in local districts.

Let’s make sure that Texas students have access to the information that the sexual health information they need to stay healthy and avoid unintended pregnancy. We look forward to sharing our full research results with you this fall.

Thank you.