

117TH CONGRESS
2D SESSION

H. R. 7492

To prohibit the Department of Education from punishing States, local educational agencies, or elementary schools for failure to implement or carry out certain Federal policies relating to sex education in elementary schools, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2022

Mr. GOODEN of Texas (for himself, Mr. TIFFANY, Mr. WEBER of Texas, Mr. ELLZEY, Mr. GOHMERT, and Mr. DUNCAN) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit the Department of Education from punishing States, local educational agencies, or elementary schools for failure to implement or carry out certain Federal policies relating to sex education in elementary schools, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Innocence
5 in Education Act”.

1 **SEC. 2. PROHIBITION OF FEDERALLY MANDATED SEX EDU-**
2 **CATION IN ELEMENTARY SCHOOLS.**

3 (a) PROHIBITION OF CERTAIN ACTIONS BY SEC-
4 RETARY OF EDUCATION.—The Secretary of Education
5 may not—

6 (1) require States, local educational agencies, or
7 elementary schools to implement Federal rec-
8 ommendations, requirements, rules, regulations,
9 guidance, or other programs relating to sex edu-
10 cation in elementary schools; or

11 (2) punish a State, local educational agency, or
12 elementary school, including by withholding Federal
13 funds or levying fines under title IX of the Edu-
14 cation Amendments of 1972 (20 U.S.C. 1681 et
15 seq.) or any other Federal law, for failure to imple-
16 ment or carry out Federal recommendations, re-
17 quirements, rules, regulations, guidance, or other
18 programs relating to sex education in elementary
19 schools.

20 (b) PROHIBITION OF CERTAIN ACTIONS BY TASK
21 FORCE ON SEXUAL VIOLENCE IN EDUCATION.—The Task
22 Force on Sexual Violence in Education established under
23 section 1314 of division W of the Consolidated Appropria-
24 tions Act, 2022 (Public Law 117–103) may not—

25 (1) develop recommendations for States, local
26 educational agencies, or elementary schools with re-

1 spect to sex education in elementary schools under
2 section 1314(a)(5) of such Act or any other Federal
3 law; or

4 (2) notwithstanding section 1314(a)(8) of such
5 Act, assess the Department of Education’s ability
6 under section 902 of the Education Amendments of
7 1972 (20 U.S.C. 1682) to levy intermediate fines for
8 noncompliance with title IX of the Education
9 Amendments of 1972 (20 U.S.C. 1681 et seq.) or
10 the advisability of additional remedies for such non-
11 compliance, in addition to the remedies already
12 available under Federal law.

13 (c) DEFINITIONS.—In this Act, the terms “elemen-
14 tary school”, “local educational agency”, and “State”
15 have the meanings given such terms in section 8101 of
16 the Elementary and Secondary Education Act of 1965 (20
17 U.S.C. 7801).

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