

118TH CONGRESS  
1ST SESSION

# H. R. 4298

To prohibit public elementary and secondary schools that receive Federal education funds from hosting or facilitating the hosting of sexualized performances, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2023

Mr. OGLES (for himself, Mr. DUNCAN, Mr. NORMAN, and Mr. HARRIS) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To prohibit public elementary and secondary schools that receive Federal education funds from hosting or facilitating the hosting of sexualized performances, 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 “Keep our Kids Safe  
5 Act of 2023”.

1 **SEC. 2. PROHIBITION ON USE OF FEDERAL FUNDS FOR**  
2 **CERTAIN ACTIVITIES IN PUBLIC SCHOOLS.**

3 (a) **PROHIBITION ON FUNDING FOR SEXUALIZED**  
4 **PERFORMANCES.**—A public elementary or secondary  
5 school that receives funds under an applicable program  
6 shall not host or facilitate the hosting of sexualized per-  
7 formances.

8 (b) **AGE AND DEVELOPMENTALLY APPROPRIATE**  
9 **EDUCATION.**—A public elementary or secondary school  
10 that receives funds under an applicable program may not  
11 use such funds for classroom instruction that is—

12 (1) provided by school personnel or a third  
13 party;

14 (2) for students in pre-kindergarten through  
15 grade 12;

16 (3) related to human sexuality, human sexual  
17 behavior and its consequences, or other sexual mat-  
18 ters for any educational, social, or other purpose;  
19 and

20 (4) in a manner that is not age or develop-  
21 mentally appropriate for such students.

22 (c) **DEFINITIONS.**—In this section:

23 (1) **AGE OR DEVELOPMENTALLY APPRO-**  
24 **PRIATE.**—The term “age or developmentally appro-  
25 priate” has the meaning given such term in section

1 475(11)(A) of the Social Security Act (42 U.S.C.  
2 675(11)(A)).

3 (2) APPLICABLE PROGRAM.—The term “appli-  
4 cable program” has the meaning given such term in  
5 section 400(c) of the General Education Provisions  
6 Act (20 U.S.C. 1221(c)).

7 (3) ESEA TERMS.—The terms “elementary  
8 school” and “secondary school” have the meanings  
9 given such terms in section 8101 of the Elementary  
10 and Secondary Education Act of 1965 (20 U.S.C.  
11 7801).

12 (4) SEXUALIZED PERFORMANCE.—The term  
13 “sexualized performance” means a performance—

14 (A) in which 1 or more individuals—

15 (i) uses clothing, lack of clothing,  
16 make-up, or other accessories to accen-  
17 tuate secondary sexual characteristics; or

18 (ii) reads aloud, sings, lip-synchs,  
19 dances, strips, impersonates the opposite  
20 sex, simulates sexual activities, performs  
21 actual sexual activities, or otherwise per-  
22 forms before an audience of at least 1 indi-  
23 vidual for entertainment or educational  
24 purposes, whether performed for payment  
25 or not; and

1                   (B) that is intended to appeal to the pru-  
2                   rient interest.

3                   (5) THIRD PARTY.—The term “third party”  
4                   means a business or entity that enters into a con-  
5                   tract with a local educational agency or public ele-  
6                   mentary or secondary school for purposes of pro-  
7                   viding classroom instruction.

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