

SECOND REGULAR SESSION

SENATE BILL NO. 776

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NODLER.

Pre-filed December 22, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

4107S.01I

AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to the teaching of sex education in the public schools.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 170.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 170.015, to read as follows:

170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

(2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) [Present] **Inform** students [with the latest] **that** medically [factual] **and personally relevant** information regarding [both the possible side effects and health benefits of all forms of contraception, including the success

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 and failure rates for the prevention of pregnancy and sexually transmitted
20 diseases] **contraception, abortion, and pregnancy may be available from**
21 **their previously designated family practitioner under section 167.611,**
22 **RSMo;**

23 (4) Include a discussion of the possible emotional and psychological
24 consequences of preadolescent and adolescent sexual activity and the
25 consequences of adolescent pregnancy, as well as the advantages of adoption,
26 including the adoption of special needs children, and the processes involved in
27 making an adoption plan;

28 (5) Teach skills of conflict management, personal responsibility and
29 positive self-esteem through discussion and role-playing at appropriate grade
30 levels to emphasize that the pupil has the power to control personal
31 behavior. Pupils shall be encouraged to base their actions on reasoning,
32 self-discipline, sense of responsibility, self-control, and ethical considerations,
33 such as respect for one's self and others. Pupils shall be taught not to make
34 unwanted physical and verbal sexual advances or otherwise exploit another
35 person. Pupils shall be taught to resist unwanted sexual advances and other
36 negative peer pressure;

37 (6) Advise pupils of the laws pertaining to their financial responsibility
38 to children born in and out of wedlock and advise pupils of the provisions of
39 chapter 566, RSMo, pertaining to statutory rape.

40 2. Policies concerning referrals and parental notification regarding
41 contraception shall be determined by local school boards **or charter schools,**
42 consistent with the provisions of section 167.611, RSMo.

43 3. A school district **or charter school** which provides human sexuality
44 instruction may separate students according to gender for instructional purposes.

45 4. The board of a school district **or charter school** shall determine the
46 specific content of the district's **or school's** instruction in human sexuality, in
47 accordance with subsections 1 to 3 of this section, and shall ensure that all
48 instruction in human sexuality is appropriate to the age of the students receiving
49 such instruction.

50 5. A school district **or charter school** shall notify the parent or legal
51 guardian of each student enrolled in the district **or school** of:

52 (1) The basic content of the district's **or school's** human sexuality
53 instruction to be provided to the student; and

54 (2) The parent's right to remove the student from any part of the district's

55 **or school's** human sexuality instruction.

56 6. A school district **or charter school** shall make all curriculum
57 materials used in the district's **or school's** human sexuality instruction available
58 for public inspection pursuant to chapter 610, RSMo, **as well as provide the**
59 **names of the instructors and the instructors' affiliations to any entities**
60 **involved with human sexuality instruction, at least one week** prior to the
61 use of such materials in actual instruction **or presentations by such**
62 **instructors.**

63 7. No school district or charter school shall permit a person or
64 entity to offer, sponsor, or furnish in any manner any course materials
65 or instruction relating to human sexuality or sexually transmitted
66 diseases to its students if such person or entity is a provider of
67 abortion services.

68 8. As used in this section, the term "abortion services" means:

69 (1) Performing, inducing, or assisting in the performing or
70 inducing of an abortion;

71 (2) Encouraging a patient to have an abortion or referring a
72 patient for an abortion; or

73 (3) Developing or dispensing drugs, chemicals, or devices
74 intended to be used to induce an abortion, which is not necessary to
75 save the life of the mother, and the term "abortion" means the same as
76 defined in section 188.015, RSMo.

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