

FIRST REGULAR SESSION

# SENATE BILL NO. 316

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SMITH.

Read 1st time February 5, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

0317S.03I

## AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to education courses regarding sexual predators, human sexuality, and sexually transmitted diseases.

*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Section A. Section 170.015, RSMo, is repealed and one new section  
2 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  
2 sexuality and sexually transmitted diseases shall be medically and factually  
3 accurate and shall:

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

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

16 (3) Present students with the latest medically factual information  
17 regarding both the possible side effects and health benefits of all forms of  
18 contraception, including the success and failure rates for the prevention of

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

19 pregnancy and sexually transmitted diseases; [or shall present students with  
20 information on contraceptives and pregnancy in a manner consistent with the  
21 provisions of the federal abstinence education law, 42 U.S.C. Section 710;]

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

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

36 (6) **Teach pupils about the dangers of sexual predators, including**  
37 **online predators when using electronic communication methods such**  
38 **as the Internet, cell phones, text messages, chat rooms, email, and**  
39 **instant messaging programs. Pupils shall be taught how to behave**  
40 **responsibly and remain safe on the Internet and the importance of**  
41 **having open communication with responsible adults and reporting any**  
42 **inappropriate situation, activity or abuse to a responsible adult, and**  
43 **depending on intent and content, to local law enforcement, the FBI, or**  
44 **the CyberTipLine;**

45 (7) Advise pupils of the laws pertaining to their financial responsibility  
46 to children born in and out of wedlock and advise pupils of the provisions of  
47 chapter 566, RSMo, pertaining to statutory rape.

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

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

53 4. The board of a school district or charter school shall determine the  
54 specific content of the district's or school's instruction in human sexuality, in

55 accordance with subsections 1 to 3 of this section, and shall ensure that all  
56 instruction in human sexuality is appropriate to the age of the students receiving  
57 such instruction.

58         5. A school district or charter school shall notify the parent or legal  
59 guardian of each student enrolled in the district or school of:

60             (1) The basic content of the district's or school's human sexuality  
61 instruction to be provided to the student; [and]

62             (2) **The CyberTipLine and when and how to use it;**

63             (3) **The sex offender registry and how to access it; and**

64             (4) The parent's right to remove the student from any part of the district's  
65 or school's human sexuality instruction.

66         6. A school district or charter school shall make all curriculum materials  
67 used in the district's or school's human sexuality instruction available for public  
68 inspection pursuant to chapter 610, RSMo, prior to the use of such materials in  
69 actual instruction.

70         [7. No school district or charter school, or its personnel or agents, shall  
71 provide abortion services, or permit a person or entity to offer, sponsor, or furnish  
72 in any manner any course materials or instruction relating to human sexuality  
73 or sexually transmitted diseases to its students if such person or entity is a  
74 provider of abortion services.

75         8. As used in this section, the following terms mean:

76             (1) "Abortion", the same meaning as such term is defined in section  
77 188.015, RSMo;

78             (2) "Abortion services":

79                 (a) Performing, inducing, or assisting in the performance or inducing of  
80 an abortion which is not necessary to save the life of the mother;

81                 (b) Encouraging a patient to have an abortion or referring a patient for  
82 an abortion, which is not necessary to save the life of the mother; or

83                 (c) Developing or dispensing drugs, chemicals, or devices intended to be  
84 used to induce an abortion which is not necessary to save the life of the mother.]

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