

SECOND REGULAR SESSION

SENATE BILL NO. 800

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Read 1st time February 16, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

4565S.011

AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to sexual education.

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Section A. Section 170.015, RSMo, is repealed and one new section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, **be based on peer reviewed projects that have been**
4 **demonstrated to influence healthy behavior, be age appropriate,** and
5 shall:

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

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

19 (3) Present students with the latest medically factual information

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

20 [regarding both the possible side effects and health benefits of all forms of
21 contraception, including the success and failure rates for the prevention of
22 pregnancy and sexually transmitted diseases; or shall present students with
23 information on contraceptives and pregnancy in a manner consistent with the
24 provisions of the federal abstinence education law, 42 U.S.C. Section 710] **about**
25 **the health benefits and side effects of all contraceptives and barrier**
26 **methods as a means to prevent pregnancy and to reduce the risk of**
27 **contracting sexually transmitted infections, HIV/AIDS and other**
28 **diseases;**

29 (4) [Include a discussion of the possible emotional and psychological
30 consequences of preadolescent and adolescent sexual activity and the
31 consequences of adolescent pregnancy, as well as the advantages of adoption,
32 including the adoption of special needs children, and the processes involved in
33 making an adoption plan] **Provide information about the vaccine for**
34 **human papilloma virus, which may prevent cervical cancer, genital**
35 **warts, infertility, and other reproductive health problems, when**
36 **administered prior to becoming sexually active;**

37 (5) **Encourage family communication between parents and**
38 **children about sexuality;**

39 (6) **Help young people gain knowledge about the physical,**
40 **biological, and hormonal changes of adolescence and subsequent states**
41 **of human maturation and the skills to make responsible decisions about**
42 **sexuality, including how alcohol and drug use can affect that decision**
43 **making;**

44 [(5)] (7) Teach skills of conflict management, personal responsibility and
45 positive self-esteem through discussion and role-playing at appropriate grade
46 levels to emphasize that the pupil has the power to control personal
47 behavior. Pupils shall be encouraged to base their actions on reasoning, self-
48 discipline, sense of responsibility, self-control, and ethical considerations, such
49 as respect for one's self and others. Pupils shall be taught not to make unwanted
50 physical and verbal sexual advances or otherwise exploit another person. Pupils
51 shall be taught to resist unwanted sexual advances and other negative peer
52 pressure;

53 [(6)] (8) Advise pupils of the laws pertaining to their financial
54 responsibility to children born in and out of wedlock and advise pupils of the
55 provisions of chapter 566 pertaining to statutory rape;

56 **(9) Help pupils develop skills in critical thinking, problem**
57 **solving, decision making, and stress management in order to make**
58 **healthy decisions about sexuality and relationships;**

59 **(10) Teach pupils about the dangers of sexual predators,**
60 **including online predators when using electronic communication**
61 **methods such as the internet, cell phones, text messages, chat rooms,**
62 **email, and instant messaging programs. Pupils shall be taught how to**
63 **behave responsibly and remain safe on the internet and the importance**
64 **of having open communication with responsible adults and reporting**
65 **any inappropriate situation, activity, or abuse to a responsible adult,**
66 **and depending on intent and content, to local law enforcement, the FBI,**
67 **or the CyberTipLine;**

68 **(11) Teach pupils about the consequences, both personal and**
69 **legal, of inappropriate text messaging even among friends.**

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

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

75 4. The board of a school district or charter school shall determine the
76 specific content of the district's or school's instruction in human sexuality, in
77 accordance with subsections 1 to 3 of this section, and shall ensure that all
78 instruction in human sexuality is appropriate to the age of the students receiving
79 such instruction.

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

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

84 (2) The parent's right to remove the student from any part of the district's
85 or school's human sexuality instruction.

86 6. A school district or charter school shall make all curriculum materials
87 **and names and affiliations of presenters** used in the district's or school's
88 human sexuality instruction available for public inspection pursuant to chapter
89 610 prior to the use of such materials in actual instruction.

90 [7. No school district or charter school, or its personnel or agents, shall
91 provide abortion services, or permit a person or entity to offer, sponsor, or furnish

92 in any manner any course materials or instruction relating to human sexuality
93 or sexually transmitted diseases to its students if such person or entity is a
94 provider of abortion services.

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

96 (1) "Abortion", the same meaning as such term is defined in section
97 188.015;

98 (2) "Abortion services":

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

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

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

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Bill

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