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1 IN THE HOUSE

BY HUDSON, ULMER AND
MENARD

2

HOUSE BILL NO. 125

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to health education."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. PURPOSE. The purpose of this Act is to foster the devel-
9 opment and dissemination of educational activities and materials that will
10 assist students, teachers, administrators, and parents in the perception,
11 appreciation, and understanding of health principles and problems, and
12 responsible sexual behavior.

13 * Sec. 2. AS 14.30.360 is amended by adding a new subsection to read:

14 (c) The board shall develop an instruction program with separate
15 components addressing the subjects of reproductive health education,
16 family life education, pregnancy prevention education, and sexually
17 transmitted diseases and make the program available to school dis-
18 tricts. The board shall also make available information about other
19 programs developed by other states upon request of a school district.

20 * Sec. 3. AS 14.30 is amended by adding new sections to read:

21 Sec. 14.30.362. REQUIRED HEALTH EDUCATION PROGRAM. (a) Under
22 guidelines developed by the board, each school district shall imple-
23 ment the following program of instruction:

24 (1) for grades kindergarten through five, instruction in
25 comprehensive health education must include the following subjects:
26 community health, consumer health, environmental health, growth and
27 development, nutritional health, personal health, prevention and
28 control of diseases and disorders, safety and accident prevention,
29 substance use and abuse, dental health, and mental and emotional

1 health; sexually transmitted diseases are to be included as a part of
2 instruction on the prevention and control of diseases and disorders;
3 at the discretion of the school district, age-appropriate instruction
4 in reproductive health may be included but instruction in this subject
5 may not include an explanation of the methods of contraception;

6 (2) for grades six through eight, instruction in comprehen-
7 sive health must include the following subjects: community health,
8 consumer health, environmental health, growth and development, nutri-
9 tional health, personal health, prevention and control of diseases and
10 disorders, safety and accident prevention, substance use and abuse,
11 dental health, mental and emotional health, and reproductive health
12 education; sexually transmitted diseases are to be included as a part
13 of instruction; at the discretion of the school district, instruction
14 in family life education or pregnancy prevention education may be
15 included;

16 (3) at least one time during the four years of grades 9 -
17 12, each student shall receive instruction in comprehensive health
18 education, including at least 750 minutes of reproductive health
19 education and pregnancy prevention education;

20 (4) films and other materials may be designed for the
21 purpose of explaining bodily functions or the human reproductive
22 process; these materials may not contain actual or simulated portray-
23 als of sexual activities or sexual intercourse;

24 (5) the program of instruction required in this section may
25 not include a discussion of sexual lifestyles unrelated to reproduc-
26 tion, except in the context of instruction concerning sexually trans-
27 mitted diseases;

28 (6) in grades 9 - 12, students must also be given appropri-
29 ate instruction that adoption is a positive alternative.

1 (b) School districts may use the instruction program made avail-
2 able by the board under AS 14.30.360, or may develop or select their
3 own instruction materials addressing the subjects of reproductive
4 health education, family life education, and pregnancy prevention
5 education. To assist in the selection of components and curriculum
6 materials, each school district shall appoint a 13-member local
7 advisory committee consisting of two parents, three clergy, two health
8 professionals, two teachers, two students, one being the president of
9 the student body of a high school, and two other persons not employed
10 by the local school district.

11 (c) Health instruction for students in grades 9 - 12 may be
12 given either as part of an existing course or as a special course.

13 (d) Contraceptive devices or contraceptive medication may not be
14 distributed in or on the school grounds of any public elementary or
15 secondary school. A school district may not contract with a contra-
16 ceptive provider for distribution of contraceptive devices in or on
17 the school grounds. Except for instruction provided by the district
18 relating to complications and potential consequences that may develop
19 from all types of abortions, school districts may not offer programs,
20 instruction, or activities including abortion counseling or informa-
21 tion about abortion services. Nothing in this section prevents school
22 authorities from referring students to a physician for medical reasons
23 after making reasonable efforts to notify the student's parents or
24 legal guardians or the appropriate court, if applicable.

25 (e) A course or instruction in sexually transmitted diseases
26 must be taught within the reproductive health, family life, prevention
27 and control of diseases and disorders, or pregnancy prevention educa-
28 tion programs, or as a separate program.

29 (f) Instruction in pregnancy prevention education must be

1 presented separately to male and female students.

2 Sec. 14.30.364. STAFF DEVELOPMENT PROGRAMS. As part of their
3 program for staff development, the department and school districts
4 shall provide appropriate staff development activities for education
5 personnel participating in health education programs.

6 Sec. 14.30.366. EXEMPTION FROM INSTRUCTION. (a) Under policies
7 and guidelines adopted by the school district, public school princi-
8 pals shall develop a method of notifying parents of students in the
9 relevant grades of the content of the instructional materials concern-
10 ing reproductive health, family life, pregnancy prevention, and of the
11 parents' option to exempt their child from this instruction, and from
12 instruction in sexually transmitted diseases if instruction in the
13 diseases is presented as a part of a prevention and control of dis-
14 eases and disorders program or as a separate program. Notice must be
15 provided sufficiently in advance of a student's enrollment in courses
16 using these instructional materials to allow parents and legal guard-
17 ians the opportunity to preview the materials and exempt their chil-
18 dren.

19 (b) A public school principal, upon receipt of a statement
20 signed by a student's parent or legal guardian stating that participa-
21 tion by the student in the health education program conflicts with the
22 family's beliefs, shall exempt that student from any portion or all of
23 the units on reproductive health, family life, and pregnancy preven-
24 tion or instruction in sexually transmitted diseases where a conflict
25 occurs. A student may not be penalized as a result of an exemption.
26 School districts shall use procedures to provide that students ex-
27 empted from the program by their parents or guardians are not embar-
28 rassed by the exemption.

29 * Sec. 4. AS 14.30.370 is amended to read:

1 Sec. 14.30.370. EVALUATION. Health education programs conducted
2 under AS 14.30.360 - 14.30.380 [AS 14.30.360] shall be evaluated by
3 the department in the same manner as other curriculum programs are
4 evaluated, except that the evaluation shall also include changes in
5 the health status of the pupils as determined by physical and dental
6 examinations conducted under AS 14.30.070 and 14.30.120.

7 * Sec. 5. AS 14.30 is amended by adding a new section to article 4 to
8 read:

9 Sec. 14.30.380. DEFINITIONS. In AS 14.30.360 - 14.30.380,

10 (1) "comprehensive health education" means health education
11 in a school setting that is planned and carried out with the purpose
12 of maintaining, reinforcing, or enhancing the health, health-related
13 skills, and health attitudes and practices of children and youth that
14 are conducive to their good health and that promote wellness, health
15 maintenance, and disease prevention; it includes age-appropriate,
16 sequential instruction in health either as part of an existing course
17 or as a special course;

18 (2) "family life education" means instruction intended to:

19 (A) develop an understanding of the physical, mental,
20 emotional, social, economic, and psychological aspects of close
21 personal relationships and an understanding of the physiological,
22 psychological, and cultural foundations of human development;

23 (B) support the development of responsible personal
24 values and behavior and aid in establishing a strong family life
25 for students in the future and emphasize the responsibilities of
26 parenting;

27 (C) provide information about the law relating to the
28 sexual conduct of minors, including criminal sexual conduct;

29 (3) "pregnancy prevention education" means instruction

1 intended to:

2 (A) stress the importance of abstaining from sexual
3 activity until marriage;

4 (B) help students develop skills to enable them to
5 resist peer pressure and abstain from sexual activity;

6 (C) explain methods of contraception, and the risks
7 and benefits of each method;

8 (4) "reproductive health education" means instruction in
9 human physiology, conception, prenatal care and development, child-
10 birth, and postnatal care, but does not include instruction concerning
11 sexual practices outside marriage or practices unrelated to reproduc-
12 tion except within the context of the risk of disease.