A bill for an act

relating to education; creating a responsible family life and sexuality education program; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2008, section 121A.23.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[121A.231] RESPONSIBLE FAMILY LIFE AND SEXUALITY EDUCATION PROGRAMS.**

Subdivision 1. **Definitions.** (a) "Responsible family life and sexuality education" means education in grades 7 through 12 that:

(1) respects community values and encourages family communication;

(2) develops skills in communication, decision making, and conflict resolution;

(3) contributes to healthy relationships;

(4) provides human development and sexuality education that is age-appropriate and medically accurate;

(5) includes an abstinence-first approach to delaying initiation of sexual activity that emphasizes abstinence while also including education about contraception and disease prevention; and

(6) promotes individual responsibility.

(b) "Age-appropriate" refers to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

(c) "Medically accurate" means verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations

and agencies in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics, or the American College of Obstetricians and Gynecologists.

Subd. 2. **Curriculum requirements.** (a) A school district must offer and may independently establish policies, procedures, curriculum, and services for providing responsible family life and sexuality education that is age-appropriate and medically accurate for grades 7 through 12. A school district may implement the curriculum consistent with its curriculum review cycle under section 120B.11, or no later than the start of the 2011-2012 school year, whichever comes first.

(b) A school district must consult with parents or guardians of enrolled students when establishing policies, procedures, curriculum, and services under this subdivision.

Subd. 3. **Notice and parental options.** (a) It is the legislature's intent to encourage pupils to communicate with their parents or guardians about human sexuality and to respect rights of parents or guardians to supervise their children's education on these subjects.

(b) Parents or guardians may excuse their children from all or part of a responsible family life and sexuality education program.

(c) A school district must make reasonable arrangements with school personnel for alternative instruction for those pupils whose parents or guardians object to the content of the instruction, and must not impose an academic or other penalty upon a pupil for arranging the alternative instruction. School personnel may evaluate and assess the quality of the pupil's work completed as part of the alternative instruction.

(d) A school district must establish policies and procedures consistent with this section for providing parents or guardians reasonable notice with the following information:

(1) if the district is offering a responsible family life and sexuality education program to the parents' or guardians' child during the course of the year;

(2) how the parents or guardians may inspect the written and audiovisual educational materials used in the program and the process for inspection;

(3) if the program is presented by school district personnel or outside consultants, and if outside consultants are used, who they may be; and

(4) parents' or guardians' right to choose not to have the child participate in the program and the procedure for exercising that right.

(e) A school district must establish policies and procedures for reasonably restricting the availability of written and audiovisual educational materials from public view of students who have been excused from all or part of a responsible family life and sexuality education program at the request of a parent or guardian, consistent with this section.

Subd. 4. **Assistance to school districts.** The Department of Education may offer services to school districts, including training, resources, and technical assistance to help them implement effective responsible family life and sexuality education programs in accordance with national health education standards.

Sec. 2. **REPEALER.**

Minnesota Statutes 2008, section 121A.23, is repealed.