

February 5, 2009

H 88. HEALTHY YOUTH ACT. Filed 2/5/09. *TO PROVIDE FOR ABSTINENCE UNTIL MARRIAGE AND COMPREHENSIVE SEXUALITY EDUCATION PROGRAMS IN GRADES SEVEN THROUGH NINE.*

Current law provides for a comprehensive health education program (Health Ed.) in the state public schools, grades K-9, that includes age-appropriate instruction in *abstinence until marriage education*. Amends GS 115C-81(e1)(1)l., to provide that the Health Ed. program include (1) an abstinence only until marriage program and (2) an abstinence-based comprehensive sexuality education program. Declares the act to be known as the *Healthy Youth Act of 2009*.

Amends GS 115C-81(e1)(4) to delete the requirement that the State Board of Education (SBE) evaluate materials and develop and maintain a recommended list of one or more abstinence until marriage curricula. Instead, directs each local school administrative unit (local unit) to offer an *abstinence-only until marriage (abstinence-only) program* beginning in the 7th grade. Enacts new subdivision (4a) to GS 115C-81(e1), directing each local unit to also offer an *abstinence-based comprehensive sexuality health education (abstinence-based) program* beginning in 7th grade.

Enacts new subsection (4b) to GS 115C-81(e1) directing each local unit to provide consent forms to all parents or guardians of students in grades seven through nine explaining the two tracks, (1) *abstinence-only* and (2) *abstinence-based*. Further directs each local unit to require each parent or guardian to select one of the two tracks for his or her child and return the signed consent form to the school. Provides that the consent form contain a statement in bold print informing the parent or guardian that failing to return a signed form will result in the student being enrolled in the *abstinence-based* program. Requires that schools offer both tracks to all parents of students attending public schools in grades seven through nine.

Repeals GS 115C-81(e1)(3) that required the SBE to develop objectives for instruction in the prevention of sexually transmitted diseases (STDs), including HIV/AIDS. Incorporates the requirement for instruction on STDs, including HIV/AIDS, into the proposed *abstinence-based* curriculum. The *abstinence-based* curriculum also includes instruction regarding FDA approved safe and effective contraceptive methods and awareness of sexual assault and abuse and provides that information conveyed during instruction be objective and based upon peer-reviewed scientific research.

Deletes GS 115C-81(e1)(6) that required a local unit to hold public hearings prior to implementing a comprehensive sexual education program.

Makes conforming changes to GS 115C-81(e1)(5) and 115C-81(e1)(7).

Effective when it becomes law and applies beginning with the 2009-10 school year.

Intro. by England, Fisher, Adams, Wilkins. GS 115C

April 8, 2009

H 88. HEALTHY YOUTH ACT. Filed 2/5/09. House committee substitute makes the following changes to 1st edition. Changes the description of the abstinence-based sex education program to clarify that abstinence from sexual “activity” (formerly “intercourse”) is the only certain way to reduce the risk of sexually transmitted diseases. Clarifies that the local school administrative unit must explain that parents or guardians may choose for their child not to enroll in either of the two available sex education tracks. Adds a new subdivision to GS 115C-81(e1) providing that each local school administrative unit must provide a health education program that meets the requirements set out in the act, but that local boards of education are free to expand on the subject areas included in the program and the objectives to be met.

April 9, 2009

H 88. HEALTHY YOUTH ACT. Filed 2/5/09. House committee substitute makes the following changes to 2nd edition. Replaces references to “abstinence *only* until marriage program” with “abstinence until marriage program.”

April 15, 2009

H 88. HEALTHY YOUTH ACT. Filed 2/5/09. House amendments make the following changes to 3rd edition.

Amendment #1, as amended by Amendment #6, amends proposed subdivision (4b) to GS 115C-81(e1) to delete the provision that a student will be enrolled in the abstinence-based comprehensive sexuality health education program (comprehensive program) if the parents or guardians of the student fail to return a signed consent form electing one of the available tracks. Instead, provides that such a student will not be enrolled in either track and will not receive any sexuality health education. Directs each school board to adopt a policy requiring schools to notify parents or legal guardians who did not sign and return the consent form that the form has not been received and that the student will not be receiving any sexuality health education. Requires that the policy require that the notice be in writing and delivered by certified mail, telefax, email, or any other written method reasonably designed to achieve actual notice to the parent or legal guardian. Amendment #2 perfects Amendment #1, adding the requirement that any parent or guardian may at any time withdraw a student from participation in either program. Amendment #5 further amends proposed subdivision (4b) to direct schools to provide parents an opportunity to examine the curriculum for both the comprehensive program and the abstinence until marriage program before requiring the parents to select an option. Amendment #3 amends proposed subdivision (4a) to GS 115C-81(e1) to delete the provision that the comprehensive program teach respect for long-term committed relationships.

June 10, 2009

H 88. HEALTHY YOUTH ACT. Filed 2/5/09. Senate committee substitute makes the following changes to 4th edition. Changes the title to *AN ACT TO DIRECT LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE REPRODUCTIVE HEALTH AND SAFETY EDUCATION IN GRADES SEVEN THROUGH NINE*. Deletes the proposed two track system that would allow parents or guardians to select one of two available tracks, (1) abstinence until marriage and (2) abstinence-based comprehensive sexuality health education, in which to enroll students in grades seven through nine. Instead, amends GS 115C-81(e1)(4) to require each local school administrative unit (local unit) to provide a reproductive health and safety education program beginning in the seventh grade (was, required each local unit to offer an abstinence until marriage program beginning in seventh grade). Makes conforming changes to replace references to *abstinence until marriage program* and/or *comprehensive sex program* with *reproductive health and safety education program*. Amends GS 115C-81(e1)(1) to require that the comprehensive school health education program include age-appropriate instruction in reproductive health and safety education (was, abstinence until marriage education). Directs each local board of education to adopt a policy that allows a parent or a guardian to withdraw the child from instruction in reproductive health and safety education (was, if no consent form returned, than student will receive no sexuality health education). Specifies content that the instruction in reproductive health and safety education is to include. Makes conforming and technical changes.

June 23, 2009

H 88. HEALTHY YOUTH ACT. Filed 2/5/09. Senate amendment makes the following changes to 5th edition. Amends proposed GS 115C-81(e1)(4a) to require that information on the rates of infection among pre-teen and teens of known sexually transmitted diseases and the effects of contracting those diseases, in particular the effects of contracting the Human Papilloma Virus, such as sterility and cervical cancer, be included as part of the instruction provided by each local school administrative unit in its reproductive health and safety education program commencing in the seventh grade.

July 1, 2009

SL 2009-213 (H 88). HEALTHY YOUTH ACT. AN ACT TO DIRECT LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE REPRODUCTIVE HEALTH AND SAFETY EDUCATION IN GRADES SEVEN THROUGH NINE. Summarized in *Daily Bulletin* 2/5/09, 4/8/09, 4/9/09, 4/15/09, 6/10/09, and 6/23/09. Enacted June 30, 2009. Effective June 30, 2009.

