

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 694
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HOUSE PRINCIPAL CLERK

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HOUSE DRH70238-MK-42B (02/12)

Short Title: Clarify Input on Repro/Character Ed. (Public)

Sponsors: Representatives Whitmire, Schaffer, Stam, and Arp (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT PARENTS PROVIDE WRITTEN PERMISSION TO
3 SCHOOLS BEFORE THEIR CHILDREN RECEIVE CERTAIN INSTRUCTION IN
4 REPRODUCTIVE HEALTH AND SAFETY AND TO ENSURE THE
5 INCORPORATION OF CHARACTER EDUCATION THROUGHOUT THE
6 CURRICULUM.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 115C-81 reads as rewritten:

9 "§ 115C-81. Basic Education Program.

10 ...
11 (e1) School Health Education Program to Be Developed and Administered.

12 ...
13 (4) Each local school administrative unit shall provide a reproductive health and
14 safety education program commencing in the seventh grade that includes the
15 following instruction:

- 16 a. Teaches that abstinence from sexual activity outside of marriage is
17 the expected standard for all school-age children.
18 b. Presents techniques and strategies to deal with peer pressure and
19 offering positive reinforcement.
20 c. Presents reasons, skills, and strategies for remaining or becoming
21 abstinent from sexual activity.
22 d. Teaches that abstinence from sexual activity is the only certain
23 means of avoiding out-of-wedlock pregnancy, sexually transmitted
24 diseases when transmitted through sexual contact, including
25 HIV/AIDS, and other associated health and emotional problems.
26 e. Teaches that a mutually faithful monogamous heterosexual
27 relationship in the context of marriage is the best lifelong means of
28 avoiding sexually transmitted diseases, including HIV/AIDS.
29 f. Teaches the positive benefits of abstinence until marriage and the
30 risks of premarital sexual activity.
31 g. Provides opportunities that allow for interaction between the parent
32 or legal guardian and the student.
33 h. Provides factually accurate biological or pathological information
34 that is related to the human reproductive system.

35 Materials used in this instruction shall be age appropriate for use with
36 students. Information conveyed during the instruction shall be objective and



based upon scientific research that is peer reviewed and accepted by professionals and credentialed ~~experts in the field of sexual health education experts.~~

(4a) Each local school administrative unit shall also include as part of the instruction required under subdivision (4) of this subsection the following instruction:

- a. Teaches about sexually transmitted diseases. Instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA)-approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases. Instruction shall include the rates of infection among pre-teen and teens of each known sexually transmitted disease and the effects of contracting each sexually transmitted disease. In particular, the instruction shall include information about the effects of contracting the Human Papilloma Virus, including sterility and cervical cancer.
- b. Teaches about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy.
- c. Teaches awareness of sexual assault, sexual abuse, and risk reduction. The instruction and materials shall:
 - 1. Focus on healthy relationships.
 - 2. Teach students what constitutes sexual assault and sexual abuse, the causes of those behaviors, and risk reduction.
 - 3. Inform students about resources and reporting procedures if they experience sexual assault or sexual abuse.
 - 4. Examine common misconceptions and stereotypes about sexual assault and sexual abuse.

Materials used in this instruction shall be age appropriate for use with students. Information conveyed during the instruction shall be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed ~~experts in the field of sexual health education experts.~~ Each local board of education shall adopt a policy ~~and provide a mechanism to allow to require that a student's parent or a guardian to withdraw his or her child from~~ provide the student's school with written permission before the student receives the instruction required under this subdivision.

...
(7) Each school year, before students may participate in any portion of (i) a program that pertains to or is intended to impart information or promote discussion or understanding in regard to the prevention of sexually transmitted diseases, including HIV/AIDS, or to the avoidance of out-of-wedlock pregnancy, or (ii) a reproductive health and safety education program, whether developed by the State or by the local board of education, the parents and legal guardians of those students shall be given an opportunity to review the objectives and materials. ~~Local~~ Except as otherwise provided in subdivision (4a) of this subsection, local boards of education shall adopt policies to provide opportunities either for parents and legal guardians to consent or for parents and legal guardians to withhold their consent to the students' participation in any or all of these programs.

...

1 (h) Character Education. – Each local board of education shall develop and implement
2 character education instruction with input from the local ~~community~~community, parents, and
3 school personnel. The instruction shall be incorporated into the standard curriculum and should
4 address the following traits:

- 5 (1) Courage. – Having the determination to do the right thing even when others
6 don't and the strength to follow your conscience rather than the crowd; and
7 attempting difficult things that are worthwhile.
- 8 (2) Good judgment. – Choosing worthy goals and setting proper priorities;
9 thinking through the consequences of your actions; and basing decisions on
10 practical wisdom and good sense.
- 11 (3) Integrity. – Having the inner strength to be truthful, trustworthy, and honest
12 in all things; acting justly and honorably.
- 13 (4) Kindness. – Being considerate, courteous, helpful, and understanding of
14 others; showing care, compassion, friendship, and generosity; and treating
15 others as you would like to be treated.
- 16 (5) Perseverance. – Being persistent in the pursuit of worthy objectives in spite
17 of difficulty, opposition, or discouragement; and exhibiting patience and
18 having the fortitude to try again when confronted with delays, mistakes, or
19 failures.
- 20 (6) Respect. – Showing high regard for authority, for other people, for self, for
21 property, and for country; and understanding that all people have value as
22 human beings.
- 23 (7) Responsibility. – Being dependable in carrying out obligations and duties;
24 showing reliability and consistency in words and conduct; being accountable
25 for your own actions; and being committed to active involvement in your
26 community.
- 27 (8) Self-Discipline. – Demonstrating hard work and commitment to purpose;
28 regulating yourself for improvement and restraining from inappropriate
29 behaviors; being in proper control of your words, actions, impulses, and
30 desires; choosing abstinence from premarital sex, drugs, alcohol, and other
31 harmful substances and behaviors; and doing your best in all situations.

32 (h1) In addition to the instruction under subsection (h) of this section, local boards of
33 education are encouraged to include instruction on the following responsibilities:

- 34 (1) Respect for school personnel. – In the school environment, respect includes
35 holding teachers, school administrators, and all school personnel in high
36 esteem and demonstrating in words and deeds that all school personnel
37 deserve to be treated with courtesy and proper deference.
- 38 (2) Responsibility for school safety. Helping to create a harmonious school
39 atmosphere that is free from threats, weapons, and violent or disruptive
40 behavior; cultivate an orderly learning environment in which students and
41 school personnel feel safe and secure; and encourage the resolution of
42 conflicts and disagreements through peaceful means including peer
43 mediation. Instruction in this responsibility should include a consistent and
44 age-appropriate antiviolence message and a conflict resolution component
45 for students in kindergarten through twelfth grade. These messages should
46 include media-awareness education to help children recognize stereotypes
47 and messages portraying violence.
- 48 (3) Service to others. – Engaging in meaningful service to their schools and their
49 communities. Schools may teach service-learning by (i) incorporating it into
50 their standard curriculum, or (ii) involving a classroom of students or some
51 other group of students in one or more hands-on community-service

1 projects. All schools are encouraged to provide opportunities for student
2 involvement in community service or service-learning projects.

- 3 (4) Good citizenship. – Obeying the laws of the nation and this State; abiding by
4 school rules; and understanding the rights and responsibilities of a member
5 of a republic.

6 (h2) The Basic Education Program curriculum and standard course of study, all
7 classroom assignments, assigned summer readings, and instructional materials shall comply
8 with, support, and consistently reflect the character education requirements under subsection
9 (h) of this section. The local board of education shall ensure that curriculum, classroom
10 assignments, summer readings, and instructional materials are evaluated annually for
11 compliance with this requirement. This subsection shall apply to all written materials, verbal
12 instruction, and visual depictions used to teach students.

13"

14 **SECTION 2.** G.S. 115C-98 reads as rewritten:

15 "**§ 115C-98. Local boards of education to provide for local operation of the textbook**
16 **program, the evaluation of instructional materials and input from the**
17 **community, the selection and procurement of other instructional materials,**
18 **and the use of nonadopted textbooks.**

19 ...

20 (b1) A local board of education shall ensure that instructional materials are thoroughly
21 evaluated each school year to confirm that the materials reflect the requirement to incorporate
22 character education throughout the curriculum as provided in G.S. 115C-81. As part of the
23 development and evaluation of character education instruction, a local board shall provide for a
24 process for school personnel to submit proposed instructional materials for preliminary
25 approval by the local board.

26 A local board of education may establish a community media advisory committee to
27 investigate and evaluate challenges from parents, teachers, and members of the public to
28 textbooks and supplementary instructional materials on the grounds that they are educationally
29 unsuitable, pervasively vulgar, or inappropriate to the age, maturity, or grade level of the
30 students.

31 Each local board of education shall annually report to the State Board of Education on the
32 evaluation of instructional materials under this subsection. The State Board of Education shall
33 review its rules and policies concerning ~~these~~ challenges from parents, teachers, or members of
34 the public and the incorporation of character education in the curriculum and shall establish
35 evaluation guidelines to be followed by local boards, school personnel, and community media
36 advisory committees.

37 The local board, at all times, has sole authority and discretion to determine whether a
38 challenge has merit and whether challenged material should be retained or removed.

39"

40 **SECTION 3.** This act is effective when it becomes law and applies beginning with
41 the 2013-2014 school year.