

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1162

Short Title: School Health Curriculum Modified.

(Public)

Sponsors: Senator Lucas.

Referred to: Education/Higher Education.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW PERTAINING TO THE SCHOOL HEALTH CURRICULUM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-81(e1) reads as rewritten:

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

(1) A comprehensive school health education program shall be developed and taught to pupils of the public schools of this State from kindergarten through ninth grade. This program includes age-appropriate instruction in the following subject areas, regardless of whether this instruction is described as, or incorporated into a description of, "family life education", "family health education", "health education", "family living", "health", "healthful living curriculum", or "self-esteem":

- a. Mental and emotional health;
- b. Drug and alcohol abuse prevention;
- c. Nutrition;
- d. Dental health;
- e. Environmental health;
- f. Family living;
- g. Consumer health;

- 1 h. Disease control;
- 2 i. Growth and development;
- 3 j. First aid and emergency care, including the teaching of
- 4 cardiopulmonary resuscitation (CPR) and the Heimlich maneuver
- 5 by using hands-on training with mannequins so that students
- 6 become proficient in order to pass a test approved by the
- 7 American Heart Association, or American Red Cross;
- 8 k. Preventing sexually transmitted diseases, including Acquired
- 9 Immune Deficiency Syndrome (AIDS) virus infection, and other
- 10 communicable diseases;
- 11 l. Abstinence until marriage education; ~~and~~
- 12 m. ~~Bicycle safety.~~ safety; and
- 13 n. Any other age appropriate health education curriculum approved
- 14 by a local school administrative unit.

15 A comprehensive school health education program includes any off-

16 campus component that is part of the curriculum of instruction. A

17 comprehensive school health education program does not include

18 individual consultation or counseling outside of the curriculum of

19 instruction.

- 20 (2) The State Board of Education shall supervise the development and
- 21 operation of a statewide comprehensive school health education
- 22 program including curriculum development, in-service training
- 23 provision and promotion of collegiate training, learning material review,
- 24 and assessment and evaluation of local programs in the same manner as
- 25 for other programs. The State Board of Education shall adopt objectives
- 26 for the instruction of the subject areas listed in subdivision (1) of this
- 27 subsection that are appropriate for each grade level. In addition, the
- 28 State Board shall approve textbooks and other materials incorporating
- 29 these objectives that local school administrative units may purchase
- 30 with State funds. The State Board of Education, through the Department
- 31 of Public Instruction, shall, on a regular basis, review materials related
- 32 to these objectives, and distribute these reviews to local school
- 33 administrative units for their information.

- 34 (3) The State Board of Education shall develop objectives for instruction in
- 35 the prevention of sexually transmitted diseases, including the sexual
- 36 transmission of Acquired Immune Deficiency Syndrome (AIDS) virus
- 37 infection, that includes emphasis on the importance of parental
- 38 involvement, abstinence from sex until marriage, and avoiding
- 39 intravenous drug use. Any program developed under this subdivision
- 40 shall present techniques and strategies to deal with peer pressure and to
- 41 offer positive reinforcement and shall teach reasons, skills, and
- 42 strategies for remaining or becoming abstinent from sexual activity; for
- 43 appropriate grade levels and classes, shall teach that abstinence from

1 sexual activity until marriage is the ~~only certain best~~ means of avoiding
2 out-of-wedlock ~~pregnancy, pregnancy and~~ sexually transmitted diseases,
3 ~~and other associated health and emotional problems,~~ and that a ~~mutually~~
4 ~~faithful-monogamous heterosexual~~ relationship in the context of marriage
5 is the best lifelong means of avoiding diseases transmitted by sexual
6 contact, including the sexual transmission of Acquired Immune
7 Deficiency Syndrome (AIDS); and shall teach the positive benefits of
8 abstinence until marriage and the risks of premarital sexual activity.
9 Any instruction concerning the causes of sexually transmitted diseases,
10 including Acquired Immune Deficiency Syndrome (AIDS), in cases
11 where ~~homosexual sexual~~ acts are a significant means of transmission,
12 shall include the current legal status of those acts.

- 13 (4) The State Board of Education shall evaluate abstinence until marriage
14 curricula and their learning materials and shall develop and maintain a
15 recommended list of one or more approved abstinence until marriage
16 curricula. The State Board may develop an abstinence until marriage
17 ~~program curriculum~~ to include on the recommended list. The State
18 Board of Education shall not select or develop a ~~program curriculum~~ for
19 inclusion on the recommended list that does not include the positive
20 benefits of abstinence until marriage and the risks of premarital sexual
21 activity as the primary focus. The State Board shall include on the
22 recommended list only ~~programs curricula~~ that include, in appropriate
23 grades and classes, instruction that:
- 24 a. Teaches that abstinence from sexual activity outside of marriage
25 is the expected standard for all school-age children;
 - 26 b. Presents techniques and strategies to deal with peer pressure and
27 offering positive reinforcement;
 - 28 c. Presents reasons, skills, and strategies for remaining or becoming
29 abstinent from sexual activity;
 - 30 d. Teaches that abstinence from sexual activity is the only certain
31 means of avoiding out-of-wedlock pregnancy, sexually
32 transmitted diseases, including Acquired Immune Deficiency
33 Syndrome (AIDS), and other associated health and emotional
34 problems;
 - 35 e. Teaches that a ~~mutually faithful-monogamous heterosexual~~
36 ~~relationship in the context of marriage~~ is the best lifelong means of
37 avoiding sexually transmitted diseases, including the sexual
38 transmission of Acquired Immune Deficiency Syndrome (AIDS);
 - 39 f. Teaches the positive benefits of abstinence until marriage and the
40 risks of premarital sexual activity; and
 - 41 g. Provides opportunities that allow for interaction between the
42 parent or legal guardian and the ~~student, and student.~~

1 h. ~~Provides factually accurate biological or pathological~~
2 ~~information that is related to the human reproductive system.~~

3 Course material and instruction shall be medically accurate. "Medically
4 accurate" means supported by research recognized as accurate and
5 objective by leading medical, psychological, and public health
6 organizations and agencies, and where relevant, tested in clinical trials
7 and published in peer review journals.

8 (5) The State Board of Education shall make available to all local school
9 administrative units for review by the parents and legal guardians of
10 students enrolled at that unit any State-developed objectives for
11 instruction, any approved textbooks, the list of reviewed materials, and
12 any other State-developed or approved materials that pertain to or are
13 intended to impart information or promote discussion or understanding
14 in regard to the prevention of sexually transmitted diseases, including
15 Acquired Immune Deficiency Syndrome (AIDS), to the avoidance of
16 out-of-wedlock pregnancy, or to the abstinence until marriage
17 curriculum. The review period shall extend for at least 60 days before
18 use.

19 (6) Each local school administrative unit shall provide a comprehensive
20 school health education program for kindergarten through the ninth
21 grade that meets all the requirements of this subsection and all the
22 objectives established by the State Board. Each local board of education
23 may expand on the ~~subject areas to be included in the program and on the~~
24 ~~instructional objectives to be met. This expanded program may include a~~
25 ~~comprehensive sex education program for that local school administrative unit~~
26 curriculum addressing reproductive health only if all of the following
27 requirements are satisfied:

28 a. ~~Before a comprehensive sex education program an expanded~~
29 curriculum is adopted, the local board of education shall conduct
30 a public hearing, after adequately notifying the public of the
31 hearing.

32 b. For at least 30 days before this public hearing and during this
33 public hearing, the objectives for this ~~proposed program expanded~~
34 curriculum and all instructional materials shall be made available
35 for review.

36 c. For at least 30 days after the public hearing, the objectives for the
37 ~~program expanded curriculum~~ and all instructional materials shall
38 remain available for review by parents and legal guardians of
39 students in that local school administrative unit.

40 (7) Each school year, before students may participate in any portion of a
41 health education curriculum that pertains to (i) a program that pertains to
42 ~~or is intended to impart information or promote discussion or understanding in~~
43 ~~regard to~~ the prevention of sexually transmitted diseases, including the

1 sexual transmission of Acquired Immune Deficiency Syndrome (AIDS),
2 or to the avoidance of out-of-wedlock pregnancy, (ii) ~~an~~ abstinence until
3 ~~marriage program, marriage, or~~ (iii) a ~~comprehensive sex education~~
4 ~~program, curriculum that is expanded beyond a comprehensive school~~
5 health education program, whether developed by the State or by the
6 local board of education, the parents and legal guardians of those
7 students shall be given an opportunity to review the objectives and
8 materials. Local boards of education shall adopt policies to provide
9 opportunities either for parents and legal guardians to consent or for
10 parents and legal guardians to withhold their consent to the students'
11 participation in ~~any or all of these programs. the health education~~
12 curriculum.

- 13 (8) ~~Students may receive~~ The health education curriculum may provide for
14 the dissemination of information about where to obtain contraceptives
15 and abortion referral services only in accordance with a local board's
16 policy regarding parental consent. Any instruction within the curriculum
17 concerning the use of contraceptives or prophylactics shall provide
18 accurate statistical information on their effectiveness and failure rates
19 for preventing pregnancy and sexually transmitted diseases, including
20 the sexual transmission of acquired Immune Deficiency Syndrome
21 (AIDS), in actual use among adolescent populations and shall explain clearly
22 ~~the difference between risk reduction and risk elimination through abstinence.~~
- 23 (9) Contraceptives, including condoms and other devices, shall not be made
24 available or distributed on school property.
- 25 (10) School health coordinators may be employed to assist in the instruction
26 of any portion of the comprehensive school health education program.
27 Where feasible, a school health coordinator should serve more than one
28 local school administrative unit. Each person initially employed as a
29 State-funded school health coordinator after June 30, 1987, shall have a
30 degree in health education."

31 Section 2. This act becomes effective July 1, 1999.