

# HOUSE BILL No. 6228

November 24, 1992, Introduced by Rep. Clarke and referred to the Committee on Education.

A bill to amend sections 1169 and 1507 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

section 1169 as amended by Act No. 139 of the Public Acts of 1990 and section 1507 as amended by Act No. 87 of the Public Acts of 1981, being sections 380.1169 and 380.1507 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Sections 1169 and 1507 of Act No. 451 of the  
2 Public Acts of 1976, section 1169 as amended by Act No. 139 of  
3 the Public Acts of 1990 and section 1507 as amended by Act No. 87  
4 of the Public Acts of 1981, being sections 380.1169 and 380.1507  
5 of the Michigan Compiled Laws, are amended to read as follows:

6       Sec. 1169. (1) The principal modes by which dangerous  
7 communicable diseases, including, but not limited to, human

1 immunodeficiency virus infection and acquired immunodeficiency  
2 syndrome, are spread and the best methods for the restriction and  
3 prevention of these diseases shall be taught in every public  
4 school in this state. THE INSTRUCTION SHALL INCLUDE ABSTINENCE  
5 FROM SEXUAL INTERCOURSE AS A RESPONSIBLE LIFESTYLE CHOICE FOR  
6 PEOPLE TO ADOPT FOR THE RESTRICTION AND PREVENTION OF SEXUALLY  
7 TRANSMITTED DANGEROUS COMMUNICABLE DISEASES.

8       (2) Except for licensed health care professionals who have  
9 received training on human immunodeficiency virus infection and  
10 acquired immunodeficiency syndrome, each person who teaches K to  
11 12 pupils about human immunodeficiency virus infection and  
12 acquired immunodeficiency syndrome pursuant to subsection (1)  
13 shall have training in human immunodeficiency virus infection and  
14 acquired immunodeficiency syndrome education for young people.  
15 The state board, in cooperation with the department of public  
16 health, shall train trainers to provide the teacher training  
17 required by this subsection and shall provide for the development  
18 and distribution to school districts of material on the teaching  
19 of human immunodeficiency virus infection and acquired immunode-  
20 ficiency syndrome to young people.

21       (3) The choice of curricula to be used for human immunodefi-  
22 ciency virus infection and acquired immunodeficiency syndrome  
23 education required to be taught under subsection (1) shall be  
24 approved by the appropriate school board and implemented in the  
25 school setting not later than October 1, 1990.

26       Sec. 1507. (1) ~~THE~~ board of a school district may  
27 engage qualified instructors and provide facilities and equipment

1 for instruction in sex education, including family planning,  
2 human sexuality, and the emotional, physical, psychological,  
3 hygienic, economic, and social aspects of family life.

4 Instruction UNDER THIS SUBSECTION may also include the subjects  
5 of reproductive health and the recognition, prevention, and  
6 treatment of ~~venereal~~ SEXUALLY TRANSMITTED disease, AND SHALL  
7 INCLUDE ABSTINENCE FROM SEXUAL INTERCOURSE AS A RESPONSIBLE LIFE-  
8 STYLE CHOICE FOR PEOPLE TO ADOPT UNDER SPECIFIED CIRCUMSTANCES AS  
9 DETERMINED BY THE ADVISORY BOARD ESTABLISHED UNDER SUBSECTION  
10 (5).

11 (2) The class described in subsection (1) shall be elective  
12 and not a requirement for graduation.

13 (3) A pupil shall not be enrolled in a class in which the  
14 subjects of family planning or reproductive health are discussed  
15 unless the pupil's parent or guardian is notified in advance of  
16 the course and the content of the course, is given a prior oppor-  
17 tunity to review the materials to be used in the course, and is  
18 notified in advance of his or her right to have the pupil excused  
19 from the class. The state board shall determine the form and  
20 content of the notice required in this subsection.

21 (4) Upon the written request of a pupil or the pupil's  
22 parent or guardian, a pupil shall be excused, without penalty or  
23 loss of academic credit, from attending the class described in  
24 subsection (1).

25 (5) A school district that provides a class as permitted by  
26 subsection (1) shall offer the instruction by teachers qualified  
27 to teach health education. A school district shall not offer

1 this instruction unless an advisory board is established by the  
2 district board to periodically review the materials and methods  
3 of instruction used, and to make recommendations to the district  
4 regarding changes in the materials or methods. The advisory  
5 board shall consist of parents having children attending the  
6 district's schools, pupils in the district's schools, educators,  
7 local clergy, and community health professionals.

8 (6) A person shall not dispense or otherwise distribute in a  
9 public school a family planning drug or device.

10 (7) As used in this section and section 1508, "family  
11 planning" means the use of a range of methods of fertility regu-  
12 lation to help individuals or couples avoid unwanted pregnancies;  
13 bring about wanted births; regulate the intervals between preg-  
14 nancies; and plan the time at which births occur in relation to  
15 the age of parents. It may include the study of fetology. It  
16 may include marital and genetic information. Clinical abortion  
17 shall not be considered a method of family planning, nor shall  
18 abortion be taught as a method of reproductive health.

19 (8) As used in this section:

20 (a) "Class" means an instructional period of limited dura-  
21 tion, not to exceed 2 hours, within a course of instruction.

22 (b) "Course" means a series of classes linked by a common  
23 subject matter.