

SENATE BILL No. 713

February 6, 1992, Introduced by Senators CARL, GEAKE,
WELBORN, HART and DINGELL and referred to the Committee
on Education.

A bill to amend sections 1507 and 1508 of Act No. 451 of the
Public Acts of 1976, entitled as amended
"The school code of 1976,"
section 1507 as amended by Act No. 87 of the Public Acts of 1981,
being sections 380.1507 and 380.1508 of the Michigan Compiled
Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1507 and 1508 of Act No. 451 of the
2 Public Acts of 1976, section 1507 as amended by Act No. 87 of the
3 Public Acts of 1981, being sections 380.1507 and 380.1508 of the
4 Michigan Compiled Laws, are amended to read as follows:

5 Sec. 1507. (1) ~~—A—~~ THE board of a school district may
6 engage qualified instructors and provide facilities and equipment
7 for instruction in sex education, including family planning,
8 human sexuality, and the emotional, physical, psychological,

1 hygienic, economic, and social aspects of family life.

2 Instruction may also include the subjects of reproductive health
3 and the recognition, prevention, and treatment of ~~venereal~~
4 SEXUALLY TRANSMITTED disease. THE INSTRUCTION DESCRIBED IN THIS
5 SUBSECTION SHALL TEACH ABSTINENCE FROM EXTRAMARITAL SEX AS THE
6 ONLY RESPONSIBLE METHOD OF PREVENTING UNWANTED PREGNANCY AND SEX-
7 UALLY TRANSMITTED DISEASE.

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

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

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

22 (5) A school district that provides a class as permitted by
23 subsection (1) shall offer the instruction by teachers qualified
24 to teach health education. A school district shall not offer
25 this instruction unless an advisory board is established by the
26 district board to periodically review the materials and methods
27 of instruction used, and to make recommendations to the district

1 regarding changes in the materials or methods. The advisory
2 board shall consist of parents having children attending the
3 district's schools, pupils in the district's schools, educators,
4 local clergy, and community health professionals.

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

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

16 (8) As used in this section:

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

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

21 Sec. 1508. The state board shall:

22 (a) Aid in the establishment of educational programs
23 designed to provide pupils in elementary and secondary schools,
24 institutions of higher education, and adult education programs
25 wholesome and comprehensive education and instruction in sex
26 education.

1 (b) Establish a library of motion pictures, tapes,
2 literature, and other education materials concerning sex
3 education available to school districts authorized to receive the
4 materials under rules of the state board.

5 (c) Aid in the establishment of educational programs within
6 colleges and universities of the state and in-service programs
7 for instruction of teachers and related personnel to enable them
8 to conduct effective classes in sex education.

9 (d) Recommend and provide leadership for sex education
10 instruction established by school districts including guidelines
11 for family planning information.

12 (e) Establish guidelines and may review and recommend mate-
13 rials to be used in teaching family planning, reproductive
14 health, and the recognition, prevention, and treatment of vene-
15 real disease. THE GUIDELINES SHALL PROVIDE FOR TEACHING ABSTI-
16 NENCE FROM EXTRAMARITAL SEX AS THE ONLY RESPONSIBLE METHOD OF
17 PREVENTING UNWANTED PREGNANCY AND SEXUALLY TRANSMITTED DISEASE.
18 The guidelines established pursuant to this subdivision shall be
19 formulated in cooperation with the departments of public health
20 and mental health, and the state department of social services.
21 ~~The guidelines shall be established within 180 days after the~~
22 ~~effective date of this subdivision.~~ A school district that pro-
23 vides instruction as permitted by section 1507 may adopt the
24 guidelines established by the state board or shall establish its
25 own guidelines in cooperation with its intermediate school dis-
26 trict and its county or district department of public health.
27 Family planning shall not be taught in a school district until

1 the guidelines as required by this subdivision have been
2 established by the state board or the local school district.

3 ~~However, the teaching of sex education, sex hygiene, or repro-~~
4 ~~ductive health as permitted under sections 1506 and 1507 before~~
5 ~~the enactment of this subdivision shall be permitted to continue~~
6 ~~pending the development of the guidelines required by this~~
7 ~~subdivision.~~