

HOUSE BILL No. 5735

March 20, 2018, Introduced by Reps. Cochran, Elder, Wittenberg, Scott, Lasinski, Sabo, Dianda, Robinson, Peterson, Gay-Dagnogo, Yanez, LaGrand, Chang, Hoadley and Love and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1507 (MCL 380.1507), as amended by 2004 PA 165.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1507. (1) The board of a school district may engage
2 qualified instructors and provide facilities and equipment for
3 instruction in sex education, including family planning, human
4 sexuality, and the emotional, physical, psychological, hygienic,
5 economic, and social aspects of family life. Instruction may also
6 include the subjects of reproductive health and the recognition,
7 prevention, and treatment of sexually transmitted ~~disease.~~
8 **INFECTION.** Subject to subsection (7) and section 1507b, the
9 instruction described in this subsection shall stress that
10 abstinence from sex is a responsible and effective method of

1 preventing unplanned or out-of-wedlock pregnancy and sexually
2 transmitted ~~disease~~**INFECTION** and is a positive lifestyle for
3 unmarried young people.

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

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

14 (4) Upon the written request of a pupil or the pupil's parent
15 or legal guardian, a pupil shall be excused, without penalty or
16 loss of academic credit, from attending a class described in
17 subsection (1).

18 (5) A~~SUBJECT TO SECTION 1507C, A~~ school district that
19 provides a class as permitted by subsection (1) shall offer the
20 instruction by teachers qualified to teach health education. A
21 school district shall not offer this instruction unless a sex
22 education advisory board is established by the board of the school
23 district. The board of a school district shall determine terms of
24 service for the sex education advisory board, the number of members
25 to serve on the advisory board, and a membership selection process
26 that reasonably reflects the school district population, and shall
27 appoint 2 co-chairs for the advisory board, at least 1 of whom is a

1 parent of a child attending a school operated by the school
2 district. At least 1/2 of the members of the sex education advisory
3 board shall be parents who have a child attending a school operated
4 by the school district, and a majority of these parent members
5 shall be individuals who are not employed by a school district. The
6 board of a school district shall include pupils of the school
7 district, educators, local clergy, and community health
8 professionals on the sex education advisory board. Written or
9 electronic notice of a sex education advisory board meeting shall
10 be sent to each member at least 2 weeks before the date of the
11 meeting. The advisory board shall do all of the following:

12 (a) Establish program goals and objectives for pupil knowledge
13 and skills that are likely to reduce the rates of sex, pregnancy,
14 and sexually transmitted ~~diseases~~. **INFECTIONS**. This subdivision
15 does not prohibit a school district from establishing additional
16 program goals and objectives that are not contrary to this section,
17 section 1169, or section 1507b.

18 (b) Review the materials and methods of instruction used and
19 make recommendations to the board of the school district for
20 implementation. The advisory board shall take into consideration
21 the school district's needs, demographics, and trends, including,
22 but not limited to, teenage pregnancy rates, sexually transmitted
23 ~~disease~~ **INFECTION** rates, and incidents of student sexual violence
24 and harassment.

25 (c) At least once every 2 years, evaluate, measure, and report
26 the attainment of program goals and objectives established under
27 subdivision (a). The board of a school district shall make the

1 resulting report available to parents in the school district.

2 (6) Before adopting any revisions in the materials or methods
3 used in instruction under this section, including, but not limited
4 to, revisions to provide for the teaching of abstinence from sex as
5 a method of preventing unplanned or out-of-wedlock pregnancy and
6 sexually transmitted ~~disease~~, **INFECTION**, the board of a school
7 district shall hold at least 2 public hearings on the proposed
8 revisions. The hearings shall be held at least 1 week apart and
9 public notice of the hearings shall be given in the manner required
10 under section 1201 for board meetings. A public hearing held
11 pursuant to this section may be held in conjunction with a public
12 hearing held pursuant to section 1169.

13 (7) A person shall not dispense or otherwise distribute in a
14 public school or on public school property a family planning drug
15 or device.

16 (8) As used in this section, "family planning" means the use
17 of a range of methods of fertility regulation to help individuals
18 or couples avoid unplanned pregnancies; bring about wanted births;
19 regulate the intervals between pregnancies; and plan the time at
20 which births occur in relation to the age of parents. It may
21 include the study of fetology. It may include marital and genetic
22 information. Clinical abortion shall not be considered a method of
23 family planning, nor shall abortion be taught as a method of
24 reproductive health.

25 (9) As used in this section and sections 1506 and 1507a:

26 (a) "Class" means an instructional period of limited duration
27 within a course of instruction and includes an assembly or small

1 group presentation.

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

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless Senate Bill No. ____ or House Bill No. 5734 (request no.
8 03232'17) of the 99th Legislature is enacted into law.