

HOUSE BILL No. 5785

April 12, 2018, Introduced by Reps. LaSata, Calley, Griffin, Marino, Hughes, Kesto, Pagan, Hoadley, Iden, Rabhi and Hauck and referred to the Committee on Law and Justice.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1507b. (1) Instruction under section 1507 in sex
2 education and instruction under section 1169 on human
3 immunodeficiency virus infection and acquired immunodeficiency
4 syndrome shall emphasize that abstinence from sex is a positive
5 lifestyle for unmarried young people because abstinence is the only
6 protection that is 100% effective against unplanned pregnancy,
7 sexually transmitted ~~disease~~, **INFECTION**, and sexually transmitted
8 human immunodeficiency virus infection and acquired
9 immunodeficiency syndrome.

10 (2) Material and instruction in the sex education curriculum
11 under section 1507 that discusses sex shall be age-appropriate,

1 shall not be medically inaccurate, and shall do at least all of the
2 following:

3 (a) Discuss the benefits of abstaining from sex until marriage
4 and the benefits of ceasing sex if a pupil is sexually active.

5 (b) Include a discussion of the possible emotional, economic,
6 and legal consequences of sex.

7 (c) Stress that unplanned pregnancy and sexually transmitted
8 ~~diseases~~**INFECTIONS** are serious possibilities of sex that are not
9 fully preventable except by abstinence.

10 (d) Advise pupils of the laws pertaining to their
11 responsibility as parents to children born in and out of wedlock.

12 (e) Ensure that pupils are not taught in a way that condones
13 the violation of the laws of this state pertaining to sexual
14 activity, including, but not limited to, sections 158, 335a, 338,
15 338a, 338b, and 520b to 520e of the Michigan penal code, 1931 PA
16 328, MCL 750.158, 750.335a, 750.338, 750.338a, 750.338b, and
17 750.520b to 750.520e.

18 (f) Teach pupils how to say "no" to sexual advances and that
19 it is wrong to take advantage of, harass, or exploit another person
20 sexually.

21 (g) Teach refusal skills and encourage pupils to resist
22 pressure to engage in risky behavior.

23 (h) Teach that the pupil has the power to control personal
24 behavior. Pupils shall be taught to base their actions on
25 reasoning, self-discipline, a sense of responsibility, self-
26 control, and ethical considerations such as respect for self and
27 others.

1 (i) Provide instruction on healthy dating relationships and on
2 how to set limits and recognize a dangerous environment.

3 (j) Provide information for pupils about how young parents can
4 learn more about adoption services and about the provisions of the
5 safe delivery of newborns law, chapter XII of the probate code of
6 1939, 1939 PA 288, MCL 712.1 to 712.20.

7 (k) Include information clearly informing pupils that having
8 sex or sexual contact with an individual under the age of 16 is a
9 crime punishable by imprisonment and that 1 of the other results of
10 being convicted of this crime is to be listed on the sex offender
11 registry on the internet for up to 25 years.

12 **(l) FOR PUPILS IN GRADES 11 AND 12, PROVIDE INSTRUCTION ON**
13 **TEEN DATING VIOLENCE AND SEXUAL ASSAULT, INCLUDING, BUT NOT LIMITED**
14 **TO, INSTRUCTION ON ALL OF THE FOLLOWING:**

15 **(i) THE CHARACTERISTICS OF A HEALTHY RELATIONSHIP.**

16 **(ii) IDENTIFYING TEEN DATING VIOLENCE, VERBAL ABUSE, NONVERBAL**
17 **ABUSE, PHYSICAL INTIMIDATION, STALKING, PHYSICAL ABUSE,**
18 **INAPPROPRIATE SEXUAL BEHAVIOR, SEXUAL HARASSMENT, SEXUAL VIOLENCE,**
19 **SEXUAL ASSAULT, AND INTERNET ABUSE AND CYBER BULLYING.**

20 **(iii) RELATIONSHIPS THAT ARE VOLUNTARY, HEALTHY, AND SAFE.**

21 **(iv) LOCATING SOURCES FOR LEGAL, MEDICAL, MENTAL HEALTH, AND**
22 **OTHER SUPPORTIVE SERVICES REGARDING TEEN DATING VIOLENCE AND SEXUAL**
23 **ASSAULT.**

24 **(v) COMMUNICATION SKILLS THAT HELP PUPILS DISCUSS AND RESOLVE**
25 **CONFLICTS WITHIN INTIMATE RELATIONSHIPS WITH RESPECT AND**
26 **NONVIOLENCE.**

27 **(vi) CRITICAL THINKING SKILLS.**

(vii) SKILLS TO NEGOTIATE WITH A DATING PARTNER.

(viii) SKILLS FOR PUPILS TO RECOGNIZE AND UNDERSTAND THEIR OWN INDIVIDUAL BOUNDARIES, AND RECOGNIZE AND RESPECT THE BOUNDARIES OF OTHERS.

(M) FOR PUPILS IN GRADES 11 AND 12, PROVIDE INSTRUCTION ON DOMESTIC VIOLENCE, INCLUDING, BUT NOT LIMITED TO, INSTRUCTION ON ALL OF THE FOLLOWING:

(i) DOMESTIC VIOLENCE AWARENESS.

(ii) HEALTHY BEHAVIORS IN RELATIONSHIPS.

(iii) IDENTIFYING THE SIGNS THAT AN INDIVIDUAL MAY BE A VICTIM OF DOMESTIC VIOLENCE.

(iv) IDENTIFYING THE BEHAVIORS ASSOCIATED WITH AN ABUSER OR PERPETRATOR OF DOMESTIC VIOLENCE.

(v) THE PRIMARY PREVENTION OF VIOLENCE PERPETRATION.

(vi) IDENTIFYING RISK FACTORS FOR PERPETRATION OF DOMESTIC VIOLENCE, INCLUDING, BUT NOT LIMITED TO:

(A) A HISTORY OF VIOLENCE OR AGGRESSION.

(B) WITNESSING OR BEING A VICTIM OF VIOLENCE AS A CHILD.

(C) SUBSTANCE ABUSE.

(D) UNEMPLOYMENT OR OTHER LIFE EVENTS THAT CAUSE STRESS.

(vii) THE TYPES OF BEHAVIOR THAT MAY OCCUR IN CONJUNCTION WITH DOMESTIC VIOLENCE, INCLUDING, BUT NOT LIMITED TO:

(A) PHYSICAL VIOLENCE.

(B) SEXUAL VIOLENCE.

(C) THREATS.

(D) EMOTIONAL ABUSE.

(E) VERBAL ABUSE.

1 (F) FINANCIAL ABUSE.

2 (viii) THE PHYSICAL INJURY, MENTAL HEALTH CONSEQUENCES,
3 SUICIDE ATTEMPTS, SUBSTANCE ABUSE, SEXUALLY TRANSMITTED DISEASES,
4 AND OTHER HEALTH CONSEQUENCES THAT A VICTIM OF DOMESTIC VIOLENCE
5 MAY EXPERIENCE.

6 (ix) HOW VICTIMS OF DOMESTIC VIOLENCE MAY SEEK ASSISTANCE OR
7 HOW FRIENDS OR FAMILY MEMBERS OF VICTIMS MAY PROVIDE ASSISTANCE TO
8 THEM.

9 (3) A SCHOOL DISTRICT MAY WORK WITH GOVERNMENTAL, NONPROFIT,
10 AND PRIVATE ENTITIES TO DEVELOP A CURRICULUM FOR THE INSTRUCTION
11 DESCRIBED IN SUBSECTIONS (2) (I) AND (M) .

12 (4) ~~(3)~~—This section does not prohibit a public school from
13 offering sex education with behavioral risk reduction strategies,
14 as defined by law, that are not 100% effective against unplanned
15 pregnancy, sexually transmitted disease, ~~—INFECTION~~, and sexually
16 transmitted human immunodeficiency virus infection and acquired
17 immunodeficiency syndrome.

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