

House File 611 - Enrolled

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HOUSE FILE 611

AN ACT

RELATING TO HUMAN GROWTH AND DEVELOPMENT AND HEALTH EDUCATION UNDER THE EDUCATIONAL STANDARDS, REQUIRING SCHOOL DISTRICTS TO PROVIDE CURRICULAR INFORMATION TO AGENCIES AND ORGANIZATIONS UPON REQUEST, AND PROVIDING RELATED DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF EDUCATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 256.9, subsection 54, Code 2007, is amended to read as follows:

54. a. Develop and make available to school districts, examples of age-appropriate and research-based materials and lists of resources which parents may use to teach their children to recognize unwanted physical and verbal sexual advances, to not make unwanted physical and verbal sexual advances, to effectively reject unwanted sexual advances, that it is wrong to take advantage of or exploit another person, about the dangers of sexual exploitation by means of the internet including specific strategies to help students protect themselves and their personally identifiable information from such exploitation, and about counseling, medical, and legal resources available to survivors of sexual abuse and sexual assault, including resources for escaping violent relationships. The materials and resources shall cover verbal, physical, and visual sexual harassment, including nonconsensual sexual advances, and nonconsensual physical sexual contact. In developing the materials and resource list, the director shall consult with entities that shall include, but not be limited to, the departments of human services, public health, and public safety, education stakeholders, and parent-teacher organizations. School districts shall provide age-appropriate and research-based materials and a list of available community and web-based resources to parents at registration and shall also include the age-appropriate and research-based materials and resource list in the student handbook. School districts are encouraged to work with their communities to provide voluntary parent education sessions to provide parents with the skills and appropriate strategies to teach their children as described in this subsection. School districts shall incorporate the age-appropriate and research-based materials into relevant curricula and shall reinforce the importance of preventive measures when reasonable with parents and students.

b. Make available scientifically based research studies in the area of health and wellness literacy for use by school districts and nonpublic schools in educating students. The content shall include but not be limited to research on instructional materials and teaching strategies that have proven effective in teaching students the knowledge and skills included in paragraph "a" and section 256.11. School districts are encouraged to incorporate as much of this material as practical.

Sec. 2. Section 256.11, subsections 3 and 4, Code 2007, are amended to read as follows:

3. The following areas shall be taught in grades one through six: English-language arts, social studies, mathematics, science, health, age-appropriate and research-based human growth and development, physical education, traffic safety, music, and visual art. The health curriculum shall include the characteristics of communicable diseases including acquired immune deficiency syndrome. The state board as part of accreditation standards shall adopt curriculum definitions for implementing the elementary program.

4. The following shall be taught in grades seven and eight: English-language arts; social studies; mathematics; science; health; age-appropriate and research-based human growth and development, family, consumer, career, and technology education; physical education; music; and visual art. The health curriculum shall include age-appropriate and

3 4 research-based information regarding the characteristics of
3 5 sexually transmitted diseases, including HPV and the
3 6 availability of a vaccine to prevent HPV, and acquired immune
3 7 deficiency syndrome. The state board as part of accreditation
3 8 standards shall adopt curriculum definitions for implementing
3 9 the program in grades seven and eight. However, this
3 10 subsection shall not apply to the teaching of family,
3 11 consumer, career, and technology education in nonpublic
3 12 schools. For purposes of this section, "age-appropriate",
3 13 "HPV", and "research-based" mean the same as defined in
3 14 section 279.50.

3 15 Sec. 3. Section 256.11, subsection 5, paragraph j, Code
3 16 2007, is amended to read as follows:

3 17 j. One unit of health education which shall include
3 18 personal health; food and nutrition; environmental health;
3 19 safety and survival skills; consumer health; family life;
3 20 age-appropriate and research-based human growth and
3 21 development; substance abuse and nonuse; emotional and social
3 22 health; health resources; and prevention and control of
3 23 disease, including age-appropriate and research-based
3 24 information regarding sexually transmitted diseases, including
3 25 HPV and the availability of a vaccine to prevent HPV, and
3 26 acquired immune deficiency syndrome.

3 27 Sec. 4. Section 279.50, Code 2007, is amended to read as
3 28 follows:

3 29 279.50 HUMAN GROWTH AND DEVELOPMENT INSTRUCTION.

3 30 1. Each school board shall provide instruction in
3 31 kindergarten which gives attention to experiences relating to
3 32 life skills and human growth and development as required in
3 33 section 256.11. School districts shall use research provided
3 34 in section 256.9, subsection 54, paragraph "b", to evaluate
3 35 and upgrade their instructional materials and teaching
4 1 strategies for human growth and development.

4 2 2. Each school board shall provide age-appropriate and
4 3 research-based instruction in human growth and development
4 4 including instruction regarding human sexuality, self-esteem,
4 5 stress management, interpersonal relationships, domestic
4 6 abuse, HPV and the availability of a vaccine to prevent HPV,
4 7 and acquired immune deficiency syndrome as required in section
4 8 256.11, in grades one through twelve.

4 9 3. Each school board shall annually provide to a parent or
4 10 guardian of any pupil enrolled in the school district,
4 11 information about the human growth and development curriculum
4 12 used in the pupil's grade level and the procedure for
4 13 inspecting the instructional materials prior to their use in
4 14 the classroom.

4 15 4. Each school district shall, upon request by any agency
4 16 or organization, provide information about the human growth
4 17 and development curriculum used in each grade level and the
4 18 procedure for inspecting and updating the instructional
4 19 materials.

4 20 5. A pupil shall not be required to take instruction in
4 21 human growth and development if the pupil's parent or guardian
4 22 files with the appropriate principal a written request that
4 23 the pupil be excused from the instruction. Notification that
4 24 the written request may be made shall be included in the
4 25 information provided by the school district.

4 26 6. Each school board or community college which offers
4 27 general adult education classes or courses shall periodically
4 28 offer an instructional program in parenting skills and in
4 29 human growth and development for parents, guardians,
4 30 prospective biological and adoptive parents, and foster
4 31 parents.

4 32 ~~2-~~ 7. Each area education agency shall periodically offer
4 33 a staff development program for teachers who provide
4 34 instruction in human growth and development.

4 35 ~~3-~~ 8. The department of education shall identify and
5 1 disseminate information about early intervention programs for
5 2 students who are at the greatest risk of suffering from the
5 3 problem of dropping out of school, substance abuse, adolescent
5 4 pregnancy, or suicide.

5 5 9. For purposes of this section and sections 256.9 and
5 6 256.11, unless the context otherwise requires:

5 7 a. "Age-appropriate" means topics, messages, and teaching
5 8 methods suitable to particular ages or age groups of children
5 9 and adolescents, based on developing cognitive, emotional, and
5 10 behavioral capacity typical for the age or age group.

5 11 b. "HIV" means HIV as defined in section 141A.1.

5 12 c. "HPV" means human papilloma virus as defined by the

5 13 centers for disease control and prevention of the United

5 14 States department of health and human services.

5 15 d. "Research-based" means all of the following:
5 16 (1) Complete information that is verified or supported by
5 17 the weight of research conducted in compliance with accepted
5 18 scientific methods; recognized as medically accurate and
5 19 objective by leading professional organizations and agencies
5 20 with relevant expertise in the field, such as the American
5 21 college of obstetricians and gynecologists, the American
5 22 public health association, the American academy of pediatrics,
5 23 and the national association of school nurses; and published
5 24 in peer-reviewed journals where appropriate.

5 25 (2) Information that is free of racial, ethnic, sexual
5 26 orientation, and gender biases.

5 27 10. To the extent not inconsistent with this section and
5 28 section 256.11, an accredited nonpublic school may also choose
5 29 curriculum in accordance with doctrinal teachings for the
5 30 human sexuality component of the human growth and development
5 31 requirements of this section and section 256.11.

5 32 11. Nothing in this section or section 256.11 shall be
5 33 construed to prohibit a school or school district from
5 34 developing and making available abstinence-based or
5 35 abstinence-only materials pursuant to the requirements of
6 1 section 256.9, subsection 54, and from offering an
6 2 abstinence-based or abstinence-only curriculum in meeting the
6 3 human sexuality component of the human growth and development
6 4 requirements of this section and section 256.11.

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PATRICK J. MURPHY
Speaker of the House

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JOHN P. KIBBIE
President of the Senate

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6 16 I hereby certify that this bill originated in the House and
6 17 is known as House File 611, Eighty-second General Assembly.

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MARK BRANDSGARD
Chief Clerk of the House

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6 23 Approved _____, 2007

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CHESTER J. CULVER

6 28 Governor