

MAR 5 2003
EDUCATION

HOUSE FILE 465
BY MASCHER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the human growth and development, health
2 education, and family life instruction by school districts and
3 accredited nonpublic schools.

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

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HF 465

1 Section 1. Section 256.9, Code 2003, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 52. Prepare and make available to school
4 districts and accredited nonpublic schools courses of
5 instruction that meet the requirements of section 256.11,
6 subsection 15. The director shall develop a procedure for
7 evaluating and measuring the effectiveness of human growth and
8 development, health education, and family life curricula in
9 each school district and accredited nonpublic school,
10 including the setting of reasonable goals for reduced sexual
11 activity, sexually transmitted diseases, and premarital
12 pregnancy.

13 Sec. 2. Section 256.11, subsections 2, 3, and 4, Code
14 2003, are amended to read as follows:

15 2. The kindergarten program shall include experiences
16 designed to develop healthy emotional and social habits and
17 growth in the language arts and communication skills, as well
18 as a capacity for the completion of individual tasks, and
19 protect and increase physical well-being with attention given
20 to experiences relating to the development of life skills and
21 medically accurate and age appropriate human growth and
22 development. A kindergarten teacher shall be licensed to
23 teach in kindergarten. An accredited nonpublic school must
24 meet the requirements of this subsection only if the nonpublic
25 school offers a kindergarten program.

26 3. The following areas shall be taught in grades one
27 through six: English-language arts, social studies,
28 mathematics, science, health, medically accurate and age
29 appropriate human growth and development, physical education,
30 traffic safety, music, and visual art. The health curriculum
31 shall include medically accurate and age appropriate
32 information regarding the characteristics of communicable
33 diseases including acquired immune deficiency syndrome. The
34 state board as part of accreditation standards shall adopt
35 curriculum definitions for implementing the elementary

1 program.

2 4. The following shall be taught in grades seven and
3 eight: English-language arts; social studies; mathematics;
4 science; health; medically accurate and age appropriate human
5 growth and development, family, consumer, career, and
6 technology education; physical education; music; and visual
7 art. The health curriculum shall include medically accurate
8 and age appropriate information regarding the characteristics
9 of sexually transmitted diseases and acquired immune
10 deficiency syndrome. The state board as part of accreditation
11 standards shall adopt curriculum definitions for implementing
12 the program in grades seven and eight. However, this
13 subsection shall not apply to the teaching of family,
14 consumer, career, and technology education in nonpublic
15 schools.

16 Sec. 3. Section 256.11, subsection 5, paragraph j,
17 unnumbered paragraph 1, Code 2003, is amended to read as
18 follows:

19 One unit of health education which shall include personal
20 health; food and nutrition; environmental health; safety and
21 survival skills; consumer health; family life; medically
22 accurate and age appropriate human growth and development;
23 substance abuse and nonuse; emotional and social health;
24 health resources; and prevention and control of disease,
25 including medically accurate and age appropriate information
26 regarding sexually transmitted diseases and acquired immune
27 deficiency syndrome.

28 Sec. 4. Section 256.11, Code 2003, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 15. All human growth and development,
31 health education, and family life courses of instruction
32 offered at grade levels six through twelve that discuss sexual
33 activity or behavior shall satisfy the following conditions:

34 a. Information presented in course material and
35 instruction shall be medically accurate and objective.

1 b. All course materials and instruction shall be age and
2 developmentally appropriate.

3 c. Course materials and instruction shall include the
4 following:

5 (1) Parameters for a discussion of sexual abstinence as a
6 method to prevent unintended pregnancy and sexually
7 transmitted diseases such as HIV.

8 (2) Presentation of the latest medically factual
9 information regarding both the possible side effects and
10 health benefits of all forms of contraception.

11 (3) Discussion of the possible consequences of unintended
12 pregnancy and sexually transmitted diseases such as HIV. The
13 materials and instruction shall stress the potentially serious
14 hazards of sexual activity or behavior.

15 (4) Statistics based on the latest medical information
16 citing the failure and success rates of all contraceptive
17 methods for the prevention of pregnancy and sexually
18 transmitted diseases such as HIV.

19 (5) Provision for the development of positive
20 communication skills that support and maintain healthy
21 relationships and reject unwanted sexual activity.

22 (6) Emphasize a student's power to control personal
23 behavior. Students shall be encouraged to base their actions
24 on reasoning, self-discipline, sense of responsibility, self-
25 control, and ethical considerations, such as respect for
26 oneself and others.

27 (7) Methods that teach students not to make unwanted
28 physical and verbal sexual advances and how to reject unwanted
29 sexual advances. The materials and instruction shall cover
30 verbal, physical, and visual sexual harassment, including
31 nonconsensual sexual advances, nonconsensual physical sexual
32 contact, and rape by an acquaintance. The course materials
33 and instruction shall emphasize personal accountability and
34 respect for others and shall also encourage youth to resist
35 peer pressure.

1 (8) Shall teach that it is wrong to take advantage of or
2 exploit another person.

3 (9) Instruction in the potential legal consequences of
4 sexual assault under the Iowa criminal code.

5 (10) Shall be free of racial, ethnic, and gender biases.

6 (11) Shall teach students about counseling, medical and
7 legal resources available to survivors of sexual abuse and
8 sexual assault, including resources for escaping violent
9 relationships.

10 d. For purposes of this subsection, "HIV" means the same
11 as defined in section 141A.1.

12 e. "Medically accurate", as used in this section, means
13 supported by research conducted in compliance with accepted
14 scientific methods; recognized as accurate and objective by
15 leading professional organizations and agencies with relevant
16 expertise in the field, which may include but shall not be
17 limited to the American college of obstetricians and
18 gynecologists and the centers for disease control and
19 prevention of the United States department of health and human
20 services; and published in peer-reviewed publications where
21 appropriate.

22 EXPLANATION

23 This bill requires that the educational programs provided
24 by school districts and accredited nonpublic schools must
25 ensure that human growth and development, health education,
26 and family life courses provide information that is medically,
27 accurate and age appropriate. The bill also requires that the
28 department of education prepare and make available to school
29 districts and accredited nonpublic schools courses of
30 instruction that are medically accurate and age appropriate
31 and to develop a procedure for evaluating and measuring human
32 growth and development, health education, and family life
33 curricula in the schools.

34 The bill provides a list of items that all human growth and
35 development, health education, and family life courses of

1 instruction offered at grade levels 6 through 12 that discuss
2 sexual activity or behavior must include.

3 The bill defines "medically accurate" to mean supported by
4 scientific research, recognized as accurate and objective by
5 leading professional organizations and agencies, and published
6 in peer-reviewed publications.

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