

HOUSE BILL No. 4883

September 17, 2015, Introduced by Reps. Hooker, Glenn, Johnson, Goike, Rendon, Runestad, Chatfield, Cole, Vaupel, Jenkins and Barrett and referred to the Committee on Education.

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. Subject
8 to subsection (7) and section 1507b, the instruction described in
9 this subsection shall stress that abstinence from sex is a
10 responsible and effective method of preventing unplanned or out-of-
11 wedlock pregnancy and sexually transmitted disease and is a

1 positive lifestyle for unmarried young people. **THE BOARD OF A**
2 **SCHOOL DISTRICT SHALL NOT ENGAGE OR ALLOW AN INDIVIDUAL OR ENTITY**
3 **THAT PROVIDES ABORTION OR ABORTION COUNSELING AND REFERRAL**
4 **SERVICES, OR AN EMPLOYEE OR AFFILIATE OF SUCH AN INDIVIDUAL OR**
5 **ENTITY, TO PROVIDE INSTRUCTION UNDER THIS SECTION.**

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

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

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

20 (5) A school district that provides a class as permitted by
21 subsection (1) shall offer the instruction by teachers qualified to
22 teach health education. A school district shall not offer this
23 instruction unless a sex education advisory board is established by
24 the board of the school district. The board of a school district
25 shall determine terms of service for the sex education advisory
26 board, the number of members to serve on the advisory board, and a
27 membership selection process that reasonably reflects the school

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

14 (a) Establish program goals and objectives for pupil knowledge
15 and skills that are likely to reduce the rates of sex, pregnancy,
16 and sexually transmitted diseases. This subdivision does not
17 prohibit a school district from establishing additional program
18 goals and objectives that are not contrary to this section, section
19 1169, or section 1507b.

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

27 (c) At least once every 2 years, evaluate, measure, and report

1 the attainment of program goals and objectives established under
2 subdivision (a). The board of a school district shall make the
3 resulting report available to parents in the school district.

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

15 (7) A person shall not dispense or otherwise distribute, **AND**
16 **SHALL NOT ALLOW A PUPIL TO PRACTICE WITH, A FAMILY PLANNING DRUG OR**
17 **DEVICE** in a public school or on public school property. ~~a family~~
18 ~~planning drug or device.~~

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

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

2 (a) "Class" means an instructional period of limited duration
3 within a course of instruction and includes an assembly or small
4 group presentation.

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

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