



HOUSE BILL 88: Healthy Youth Act

2009-2010 General Assembly

Committee:	Senate Mental Health & Youth Services	Date:	June 10, 2009
Introduced by:	Reps. England, Fisher, Adams, Wilkins	Prepared by:	Shawn Parker
Analysis of:	PCS to Fourth Edition H88-CSSQ-61		Legislative Analyst

SUMMARY: *The Senate Committee Substitute to House Bill 88 requires local school administrative units to provide reproductive health and safety education to students in grades seven through nine as part of the Healthy Living curriculum.*

Section 1 provides the act to be known as the "Healthy Youth Act of 2009".

Section 2 renames "abstinence until marriage education" "reproductive health and safety education" within the subject areas to be covered as part of the comprehensive school health program.

Section 3 repeals G.S. 115C-81(e1)(3) which pertains to the development of objectives for instruction in the prevention of STDs, including HIV/AIDS, that includes emphasis on the importance of parental involvement, abstinence from sex until marriage, and avoiding intravenous drug use. The general substance of these objectives is included in the provisions of the reproductive health and safety education program as described in G.S. 115C-81(e1)(4a).

Section 4 directs each local school administrative unit to provide reproductive health and safety education to students beginning in the seventh grade. The section requires the instruction of the program shall follow current statutory requirements:

- *Teaches that abstinence from sexual activity outside of marriage is the expected standard for all school-age children;*
- *Presents techniques and strategies to deal with peer pressure and offering positive reinforcement;*
- *Presents reasons, skills, and strategies for remaining or becoming abstinent from sexual activity;*
- *Teaches that abstinence from sexual activity is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted diseases when transmitted through sexual contact, including HIV/AIDS, and other associated health and emotional problems;*
- *Teaches that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases, including HIV/AIDS;*
- *Teaches the positive benefits of abstinence until marriage and the risks of premarital sexual activity;*
- *Provides opportunities that allow for interaction between the parent or legal guardian and the student; and*
- *Provides factually accurate biological or pathological information that is related to the human reproductive system.*

The section provides that materials used for this instruction shall be age appropriate and information conveyed is objective and based on scientific evidence.

Section 5 directs each local school administrative unit to provide in addition to the instructional requirements of G.S. 115C-181(e1)(4) instruction which must include:

- *Teach about sexually transmitted diseases, including the effectiveness of FDA-approved methods of reducing the risk of contracting an STD;*
- *Teach about the effectiveness of and safety of FDA-approved contraceptive methods in preventing pregnancy;*
- *Teach functional knowledge and essential skills to promote and maintain healthy behaviors; and*
- *Teach awareness of sexual assault, sexual abuse, and risk reduction.*

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The section provides that materials used for this instruction shall be age appropriate and information conveyed is objective and based on scientific evidence. The section further directs each local board of education to adopt a policy and provide a mechanism to allow a parent or guardian to withdraw his or her child from instruction required under G.S. 115C-81(e1)(4a)

Sections 6 and 8 makes conforming changes in G.S. 115C-81(e1)(5) and G.S. 115C-81(e1)(7).

Sections 7 and 9 repeal 115C-81(e1)(6) and recodify provisions from the subdivision that do not relate to the current process for providing a comprehensive sex education program.

CURRENT LAW: G.S. 115C-81 provides the Basic Education Program. Subsection (e1) describes a comprehensive school health education program that is to be taught to students in grades K-9. The State Board of Education is required to supervise the development and operation of a statewide comprehensive health education program. LEAs must provide a comprehensive school health education program in grades K-9 that meets all of the requirements of the law and the objectives set by the State Board.

EFFECTIVE DATE: This act is effective when it becomes law and applies beginning with the 2010-2011 academic school year.

Sara Kamprath contributed to this summary.

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