

By Senator Margolis

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1 A bill to be entitled
2 An act relating to required instruction in the public
3 schools; amending s. 1003.46, F.S.; requiring each
4 district school board to provide and each high school
5 student to complete specified coursework in human
6 sexuality; defining the term "medically accurate
7 information"; requiring the coursework to be developed
8 by the Department of Education with input from
9 teachers, school administrators, students, parents,
10 and medical professionals; requiring the availability
11 of resource packets containing course content;
12 revising the contents of authorized instruction;
13 authorizing exemption from instruction; amending s.
14 1002.20, F.S.; conforming a cross-reference; providing
15 an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 1003.46, Florida Statutes, is amended to
20 read:

21 1003.46 Health education; instruction in human sexuality
22 and acquired immune deficiency syndrome.—

23 (1) (a) Each district school board shall provide and each
24 high school student must complete a 1-week course in human
25 sexuality during each of the 4 years of high school. The 1-week
26 course shall include medically accurate information and focus on
27 the following issues:

28 1. Abstinence.

29 2. Contraception.

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30 3. Sexually transmitted diseases, including definitions,
31 symptoms, methods of transmittal, risk factors, and means to
32 control the spread of the diseases.

33 4. Teen pregnancies.

34 (b) For the purposes of this section, "medically accurate
35 information" means information supported by the weight of
36 research conducted in compliance with generally accepted
37 scientific methods and recognized as accurate and objective by
38 leading professional organizations and agencies having relevant
39 expertise in the field.

40 (c) The coursework shall be developed by the Department of
41 Education with input from teachers, school administrators,
42 students, parents, and professionals from the medical field and
43 shall be taught in a uniform method by each school district. The
44 coursework shall inform the students of the availability of
45 information through local and statewide support networks and web
46 portals.

47 (d) The content of the course in human sexuality shall be
48 available in a resource packet which must be provided by the
49 school guidance counselor to a student upon request. A resource
50 packet may be given to a student only after the guidance
51 counselor has informed the student of its contents.

52 (2)~~(1)~~ In addition to the coursework required under
53 subsection (1), each district school board may provide to all
54 public school students ~~instruction in acquired immune deficiency~~
55 ~~syndrome education as a specific area of health education. Such~~
56 ~~instruction may include, but is not limited to, the known modes~~
57 ~~of transmission, signs and symptoms, risk factors associated~~
58 ~~with acquired immune deficiency syndrome, and means used to~~

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59 ~~control the spread of acquired immune deficiency syndrome. The~~
60 ~~instruction shall be appropriate for the grade and age of the~~
61 ~~student and shall reflect current theory, knowledge, and~~
62 ~~practice regarding acquired immune deficiency syndrome and its~~
63 ~~prevention.~~

64 ~~(2) Throughout~~ instruction in acquired immune deficiency
65 syndrome, sexually transmitted diseases, or health education
66 ~~which, when such instruction and course material~~ contains
67 instruction in human sexuality. ~~If,~~ a school provides
68 instruction pursuant to this subsection, the school shall:

69 ~~(a) Teach abstinence from sexual activity outside of~~
70 ~~marriage as the expected standard for all school-age students~~
71 ~~while teaching the benefits of monogamous heterosexual marriage.~~

72 ~~(a)-(b)~~ Emphasize that abstinence from sexual activity is a
73 certain way to avoid unintended out-of-wedlock pregnancy,
74 sexually transmitted diseases, including acquired immune
75 deficiency syndrome, and other associated health problems.

76 ~~(b)-(e)~~ Teach that each student has the power to control
77 personal behavior and encourage students to base actions on
78 reasoning, self-esteem, and respect for others.

79 ~~(c)-(d)~~ Provide instruction and material that is medically
80 and factually accurate and appropriate for the grade and age of
81 the student.

82 (3) Any student whose parent makes written request to the
83 school principal shall be exempted from the teaching of human
84 sexuality or sexually transmitted diseases. A student so
85 exempted may not be penalized by reason of that exemption.

86 Section 2. Paragraph (d) of subsection (3) of section
87 1002.20, Florida Statutes, is amended to read:

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88 1002.20 K-12 student and parent rights.—Parents of public
89 school students must receive accurate and timely information
90 regarding their child's academic progress and must be informed
91 of ways they can help their child to succeed in school. K-12
92 students and their parents are afforded numerous statutory
93 rights including, but not limited to, the following:

94 (3) HEALTH ISSUES.—

95 (d) *Reproductive health and disease education.*—A public
96 school student whose parent makes written request to the school
97 principal shall be exempted from the teaching of reproductive
98 health or any disease, including HIV/AIDS, in accordance with
99 the provisions of ss. ~~s.~~ 1003.42(3) and 1003.46(3).

100 Section 3. This act shall take effect July 1, 2011.