

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by
2 inserting after all of said section and line the following:

3
4 "170.015. 1. Any course materials and instruction relating to human sexuality and sexually
5 transmitted diseases shall be medically and factually accurate and shall:

6 (1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all
7 sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in
8 preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent
9 sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out
10 of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

11 (2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity.
12 Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency
13 virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually
14 transmitted diseases;

15 (3) Present students with the latest medically factual information regarding both the possible side
16 effects and health benefits of all forms of contraception, including the success and failure rates for the
17 prevention of pregnancy and sexually transmitted diseases; or shall present students with information on
18 contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education
19 law, 42 U.S.C. Section 710;

20 (4) Include a discussion of the possible emotional and psychological consequences of preadolescent
21 and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of
22 adoption, including the adoption of special needs children, and the processes involved in making an adoption
23 plan;

24 (5) Teach skills of conflict management, personal responsibility and positive self-esteem through
25 discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control
26 personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of
27 responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall
28 be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person[
29 ~~Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure~~];

30 (6) Advise pupils of the laws pertaining to their financial responsibility to children born in and out
31 of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;

32 (7) Teach pupils about the dangers of sexual predators, including online predators when using
33 electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and
34 instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the
35 internet and the importance of having open communication with responsible adults and reporting any
36 inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local
37 law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited
38 Children's CyberTipline; ~~[and]~~

39 (8) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging,

Action Taken _____ Date _____

1 even among friends; and

2 (9) Teach pupils about sexual harassment, sexual violence, and consent:

3 (a) For the purposes of this subdivision, the term "consent" shall mean a freely given agreement to
4 the conduct at issue by a competent person. An expression of lack of consent through words or conduct
5 means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of
6 force, threat of force, or placing another person in fear does not constitute consent. A current or previous
7 dating or social or sexual relationship by itself or the manner of dress of the person involved with the
8 accused in the conduct at issue shall not constitute consent;

9 (b) For the purposes of this subdivision, the term "sexual harassment" shall mean uninvited and
10 unwelcome verbal or physical behavior of a sexual nature, especially by a person in authority toward a
11 subordinate;

12 (c) For the purposes of this subdivision, the term "sexual violence" shall mean causing or attempting
13 to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that
14 person's consent.

15 2. Policies concerning referrals and parental notification regarding contraception shall be determined
16 by local school boards or charter schools, consistent with the provisions of section 167.611.

17 3. A school district or charter school which provides human sexuality instruction may separate
18 students according to gender for instructional purposes.

19 4. The board of a school district or charter school shall determine the specific content of the district's
20 or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall
21 ensure that all instruction in human sexuality is appropriate to the age of the students receiving such
22 instruction.

23 5. A school district or charter school shall notify the parent or legal guardian of each student
24 enrolled in the district or school of:

25 (1) The basic content of the district's or school's human sexuality instruction to be provided to the
26 student; and

27 (2) The parent's right to remove the student from any part of the district's or school's human
28 sexuality instruction.

29 6. A school district or charter school shall make all curriculum materials used in the district's or
30 school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use
31 of such materials in actual instruction.

32 7. No school district or charter school, or its personnel or agents, shall provide abortion services, or
33 permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction
34 relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a
35 provider of abortion services.

36 8. As used in this section, the following terms mean:

37 (1) "Abortion", the same meaning as such term is defined in section 188.015;

38 (2) "Abortion services":

39 (a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not
40 necessary to save the life of the mother;

41 (b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not
42 necessary to save the life of the mother; or

43 (c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion
44 which is not necessary to save the life of the mother."; and

45 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.