

A-Engrossed
House Bill 2509

Ordered by the House March 6
Including House Amendments dated March 6

Sponsored by COMMITTEE ON EDUCATION

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires school districts to provide human sexuality education courses in all public elementary and secondary schools as part of health education curriculum.
Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to health education; creating new provisions; amending ORS 336.455; and declaring an
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 336.455 is amended to read:

6 336.455. (1) **Each school district shall provide age-appropriate human sexuality education**
7 **courses in all public elementary and secondary schools as an integral part of the health ed-**
8 **ucation curriculum.**

9 [(1)] (2) Course material and instruction for all human sexuality education courses [*that discuss*
10 *human sexuality in public elementary and secondary schools*] shall enhance students' understanding
11 of sexuality as a normal and healthy aspect of human development. Course instruction shall [*be ap-*
12 *propriate for the age of the pupils and satisfy the following criteria*]:

13 (a) **Be medically accurate.**

14 [(a)] (b) Be comprehensive.

15 [(b)] (c) [*As an integral part of the health education curriculum,*] Include information about re-
16 sponsible sexual behaviors and hygienic practices that eliminate or reduce the risks of
17 pregnancy[,] **and the risks of** exposure to human immunodeficiency virus, hepatitis B, **hepatitis C**
18 and other infectious or sexually transmitted diseases. [*and shall be*] **Information about those risks**
19 **shall be presented in a manner** designed to allay [*those*] fears concerning [*the*] risks that are sci-
20 entifically groundless.

21 [(c)] (d) Promote abstinence for school-age youth and mutually monogamous relationships with
22 an uninfected partner for adults as the [*safest and most responsible sexual behavior*] **most effective**
23 **way to prevent pregnancy and the transmission of sexually transmitted diseases.** However,
24 abstinence [*shall*] **may** not be taught to the exclusion of other material and instruction on
25 contraceptive and disease reduction measures. Human sexuality education courses shall acknowl-
26 edge the value of abstinence while not devaluing or ignoring those [*young people*] **students** who
27 have had or are having sexual intercourse.

28 [(d)] (e) Include a discussion [*of the possible*] **about the characteristics of the** emotional,

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 physical and psychological [*consequences of preadolescent and adolescent sexual intercourse and the*
 2 *emotional, physical and psychological consequences of unintended pregnancy. Pupils*] **aspects of a**
 3 **healthy relationship and a discussion about the benefits of delaying pregnancy beyond the**
 4 **adolescent years as a means to better ensure a healthy future for parents and their children.**
 5 **Students** shall be provided with statistics based on the latest medical information regarding both
 6 **the health benefits and** the possible side effects [*and health benefits*] of all forms of contraceptives,
 7 including the success and failure rates for prevention of pregnancy.

8 [(e)] (f) Stress that sexually transmitted diseases are serious possible [*hazards*] **outcomes** of
 9 sexual contact. [*Pupils*] **Students** shall be provided with statistics based on the latest medical in-
 10 formation regarding the efficacy of [*contraceptives*] **all methods of sexual protection** in preventing
 11 human immunodeficiency virus infection and other sexually transmitted diseases.

12 [(f) Advise pupils of the laws pertaining to their financial responsibility for their children.]

13 (g) **Provide students with information about Oregon laws that address young people's**
 14 **rights and responsibilities related to childbearing and parenting.**

15 [(g)] (h) Advise [*pupils*] **students** of the circumstances in which it is unlawful under ORS 163.435
 16 and 163.445 for persons 18 years of age or older to have sexual relations with persons younger than
 17 18 years of age to whom they are not married.

18 [(h)] (i) Teach **students** that no form of sexual expression is acceptable when [*it*] **the ex-**
 19 **pression** physically or emotionally harms oneself or others and teach [*pupils*] **students** not to make
 20 unwanted physical and verbal sexual advances, how to decline unwanted sexual advances or accept
 21 the refusal of unwanted sexual advances. [*Pupils*] **Students** shall be taught that it is wrong to take
 22 advantage of or to exploit another person. Materials and information shall be presented in a manner
 23 sensitive to the fact that there are students who have experienced sexual abuse.

24 [(i)] (j) Validate through course material and instruction the importance of honesty with oneself
 25 and others, respect for each person's dignity and well-being, and responsibility for one's actions.

26 [(j)] (k) Assist students in the development and practice of effective communication skills, the
 27 development of self-esteem and the ability to resist peer pressure.

28 [(k)] (L) Encourage family communication and involvement [*and*] **to** help students learn to make
 29 responsible decisions.

30 [(2)] (3) Any course in any public elementary and secondary school, the main purpose of which
 31 is to [*teach*] **address** human sexuality education or human immunodeficiency virus education, or
 32 both, shall emphasize that abstinence from sexual contact is the only method that is 100 percent
 33 effective against unintended pregnancy, sexually transmitted diseases and human immunodeficiency
 34 virus when transmitted sexually. Abstinence is to be stressed, but not to the exclusion of other
 35 material and instruction on contraceptive and disease reduction measures. Such courses are to ac-
 36 knowledge the value of abstinence while not devaluing or ignoring those [*young people*] **students**
 37 who have had or are having sexual intercourse.

38 [(3)] (4) Nothing in this section prohibits instruction in sanitation, hygiene or traditional courses
 39 in biology.

40 **SECTION 2. The amendments to ORS 336.455 by section 1 of this 2009 Act first apply to**
 41 **the 2009-2010 school year.**

42 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**
 43 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
 44 **July 1, 2009.**