

2005 DRAFTING REQUEST

Bill

Received: **05/10/2005**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Tamara Grigsby (608) 266-0645**

By/Representing: **cindy**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Education - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Grigsby@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Require school boards to provide comprehensive sex ed

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/1	mlief 05/18/2005	kfollett 05/19/2005	jfrantze 05/20/2005	_____	mbarman 05/20/2005		S&L
/2	mlief 05/24/2005	kfollett 05/24/2005	rschluet 05/24/2005	_____	sbasford 05/24/2005	mbarman 09/13/2005	

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12 KGF
5/24
5 24 5 <END>

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/?	mlief	1/1/cjf 5/19	5/19	5/20			

FE Sent For:

<END>

118.019 (1) Leave this subsection section of the statute as is.

118.019 (2)

A school board may provide an instructional program in human growth and development in grades kindergarten to 12. If provided, the program shall be comprehensive by meeting all of the following criteria:

- (a) Instruction and materials used shall be age-appropriate;
- (b) All factual information presented shall be science-based and objective;
- © Curriculum and materials shall meet all of the following conditions:
 - (1) Encourage a student to communicate with the student's parent or guardian about human sexuality;
 - (2) Provide information about sexual anatomy and physiology and the stages, patterns and responsibilities associated with growth and development;
 - (3) Teach students about self-esteem, responsible decision making and personal responsibility related to relationships, and sexual behavior;
 - (4) Teach students to recognize unwanted physical and verbal sexual advances, not to make unwanted physical and verbal sexual advances, and how to effectively reject unwanted sexual advances.
 - (5) Teach students about sex stereotypes and protective behavior
 - (6) Teach students about counseling, medical and legal resources available to survivors of sexual assault.
 - (7) Teach, commencing in grade seven, about marriage and parental responsibilities;
 - (8) Teach, commencing in grade seven, about prenatal development, childbirth and adoption
 - (9) Teach, commencing in grade seven, the social, psychological, and health benefits of abstaining from sexual activity, including that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy and sexually transmitted infection, and provide science-based information on other methods of preventing pregnancy and sexually transmitted diseases and HIV
 - (10) Teach, commencing in grade seven, about sexually transmitted infections, including how sexually transmitted infections are and are not transmitted and the effectiveness and safety of all federal food and drug administration approved methods of reducing the risk of contracting sexually transmitted diseases.

repeal current (2m)

118.019 (2m): Notice to parents.

Each school board that elects not to provide human growth and development curriculum and materials according to the guidelines established in 118.019 (2) shall, at the beginning of each school year, send a notice to the parent or guardian of each student enrolled in the school district that sets forth all of the following:

- (a) That the state authorizes comprehensive human growth and development curriculum in kindergarten through grade twelve;

(b) The criteria for comprehensive human growth and development, as set forth in Wis. Stat. 118.019 (2);

© That comprehensive human growth and development curriculum is not being offered to the student.

118.019 (3) Leave this section of the statutes as is.

New Section:

Provide funding for a DPI study which examines whether abstinence only education is effective in changing adolescent sexual behavior, including delaying first sex.

delete
Instructor
per Chris Taylor
5/12

Bill Request Form

Legislative Reference Bureau
100 N. Hamilton Street
Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date 5-5-05

Legislator, agency, or other person requesting this draft Rep. Grigsby

Person submitting request (name and phone number) Cindy McInnis 6-0645

Persons to contact for questions about this draft (names and phone numbers) Cindy or
Christ Taylor, Planned Parenthood 256-7549 ext 225

Describe the problem, including any helpful examples. How do you want to solve the problem?

*See attached require school boards to teach comprehensive
sex ed, not just abstinence only*

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2001 LRB-2345/1 or 1999AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?
YES NO



2005 BILL

To editing 5/18
Due 5/23

D-N

Gen

1 AN ACT ...; relating to: providing instruction in human growth and development.

(ci)

Analysis by the Legislative Reference Bureau

Under current law a school board may provide an instructional program in human growth and development in grades kindergarten to 12 that may include instruction in the following areas: (1) self-esteem, responsible decision making, and personal responsibility; (2) interpersonal relationships; (3) discouragement of adolescent sexual activity; (4) family life and skills required of a parent; and (5) human sexuality, reproduction, family planning, human immunodeficiency virus and acquired immunodeficiency syndrome, prenatal development, childbirth, adoption, available prenatal and postnatal support, and male and female responsibility. If a school board offers instruction in any of these areas, it must also provide instruction in marriage and parental responsibility.

X

and that
and that
does

This bill provides that a school board may offer an instructional program in human growth and development that is scientifically based and that encourages a pupil to communicate with his or her parent or guardian about human sexuality. In addition, the curriculum must do all of the following: (1) encourage a pupils to communicate with his or her parent or guardian about human sexuality; (2) provide information about sexual anatomy and physiology; (3) teach pupils about self-esteem, responsible decision making and personal responsibility; (4) teach pupils to recognize unwanted physical and verbal sexual advances, not to make unwanted physical and verbal sexual advances, and to reject unwanted sexual advances; (5) teach pupils about sexual stereotypes and protective behavior; (6) teach pupils about counseling and medical and legal resources available to survivors of sexual assault; (7) and, commencing in the seventh grade, teach pupils about marriage, parental

Handwritten initials

related to relationships
and sexual
behavior

BILL

responsibility, prenatal development, childbirth adoption, the benefits of abstinence, and pregnancy and sexually transmitted disease prevention. The bill also repeals the provision requiring a school board that offers courses in human growth and development ~~from~~ ^{to} providing instruction in marriage and parental responsibility. Finally, the bill requires each school board that elects not to offer human growth and development instruction to notify each pupil's parent or guardian of this fact.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 118.019 (2) of the statutes is repealed and recreated to read:

2 118.019 (2) SUBJECTS. A school board may provide an instructional program in
3 human growth and development in grades kindergarten to 12. If provided, the
4 program shall offer scientifically based information and instruction appropriate to
5 each grade level and the age and level of maturity of the pupils. If offered, the
6 program shall include instruction in all of the following areas:

7 (a) Self-esteem, responsible decision making and personal responsibility
8 related to relationships and sexual behavior.

9 (b) Communication with parents or guardians about human sexuality.

10 (c) Sexual anatomy and physiology, and the stages, patterns, and
11 responsibilities associated with growth and development.

12 (d) Recognition of unwanted physical and verbal sexual advances and the
13 rejection of unwanted sexual advances.

14 (e) Sexual stereotypes and protective behavior.

15 (f) Counseling and medical and legal resources available to survivors of sexual
16 assault.

17 (g) Beginning in grade ⁷ ~~seven~~, marriage and parental responsibilities; prenatal
18 development; childbirth; adoption; the social, psychological, and health benefits of

BILL

1 abstaining from sexual activity, including the prevention of pregnancy and sexually
 2 transmitted diseases; ^{and} how sexually transmitted diseases are transmitted and the
 3 effectiveness and safety of all federal food and drug administration methods of
 4 reducing the risk of contracting sexually transmitted diseases.

History: 1985 a. 56; 1987 a. 399; 1989 a. 203; 1995 a. 27; 1997 a. 27; 2001 a. 16.

5 **SECTION 2.** 118.019 (2m) of the statutes is repealed.

6 **SECTION 3.** 118.019 (3) (title) of the statutes is amended to read:

7 118.019 (3) (title) DISTRIBUTION OF CURRICULUM TO PARENTS; NOTICE.

8 **SECTION 4.** 118.019 (3) of the statutes is amended to read:

9 118.019 (3) DISTRIBUTION OF CURRICULUM TO PARENTS. Each school board that
 10 provides an instructional program in human growth and development shall
 11 annually provide the parents of each pupil enrolled in the school district with an
 12 outline of the human growth and development curriculum used in the pupil's grade
 13 level and information regarding how the parent may inspect the complete
 14 curriculum and instructional materials. The school board shall make the complete
 15 human growth and development curriculum and all instructional materials
 16 available upon request for inspection at any time, including prior to their use in the
 17 classroom. If a school board elects not to provide an instructional program in human
 18 growth and development, by September 30 of each school year, it shall send a notice
 19 ^{to} the parent or guardian of each pupil that includes a statement that the school board
 20 is permitted to provide instruction in human growth and development in
 21 kindergarten to grade ¹² twelve, the required subjects of the instruction under sub. (2)
 22 and a statement that the school board is not providing human growth and
 23 development instruction to its pupils.

History: 1985 a. 56; 1987 a. 399; 1989 a. 203; 1995 a. 27; 1997 a. 27; 2001 a. 16.

History: 1985 a. 56; 1987 a. 399; 1989 a. 203; 1995 a. 27; 1997 a. 27; 2001 a. 16.

D-Note

mjl:kjf

Date

Cindy:

Q) This draft departs ^{stylistically, and technically} stylistically, but not
substantively draft we
substantively from the draft language we
received. Note that ^{that} Taylor told me
Chris Taylor told me

not to include the DPI study originally
proposed. I am still working to get ~~the~~
changes

Also given that the bill ^{changes} changes then to
for
curriculum for those school districts

that
that elect to offer human growth
and development, you ^{may} may wish to

delay the bill's effective date.

MIL

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2999/1dn
MJL:kjf:jf

May 19, 2005

Cindy:

This draft departs stylistically and technically but not substantively from the draft language we received. Note that Chris Taylor told me not to include the DPI study originally proposed.

Given that the bill changes the curriculum for those school districts that elect to offer human growth and development, you may wish to delay the bill's effective date.

Madelon J. Lief
Senior Legislative Attorney
Phone: (608) 267-7380



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2999/1²

MJL:kjf/A

2005 BILL

Due TODAY
SPY

RM run

Regen

- 1 AN ACT *to repeal* 118.019 (2m); *to amend* 118.019 (3) (title) and 118.019 (3); and
2 *to repeal and recreate* 118.019 (2) of the statutes; **relating to:** providing
3 instruction in human growth and development.

Analysis by the Legislative Reference Bureau

Under current law a school board may provide an instructional program in human growth and development in grades kindergarten to 12 that may include instruction in the following areas: 1) self-esteem, responsible decision making, and personal responsibility; 2) interpersonal relationships; 3) discouragement of adolescent sexual activity; 4) family life and skills required of a parent; and 5) human sexuality, reproduction, family planning, human immunodeficiency virus and acquired immunodeficiency syndrome, prenatal development, childbirth, adoption, available prenatal and postnatal support, and male and female responsibility. If a school board offers instruction in any of these areas, it must also provide instruction in marriage and parental responsibility.

This bill provides that a school board may offer an instructional program in human growth and development that is scientifically based and that does all of the following: 1) encourages pupils to communicate with parents or guardians about human sexuality; 2) provides information about sexual anatomy and physiology; 3) teaches self-esteem, responsible decision making and personal responsibility related to relationships and sexual behavior; 4) teaches pupils to recognize unwanted physical and verbal sexual advances, not to make unwanted physical and verbal sexual advances, and to reject unwanted sexual advances; 5) teaches pupils

BILL

about sexual stereotypes and protective behavior; 6) teaches pupils about counseling and medical and legal resources available to survivors of sexual assault; and 7) commencing in the seventh grade, teaches pupils about marriage, parental responsibility, prenatal development, childbirth adoption, the benefits of abstinence, and pregnancy and sexually transmitted disease prevention. ~~The bill also repeals the provision requiring a school board that offers courses in human growth and development to provide instruction in marriage and parental responsibility.~~ Finally, the bill requires each school board that elects not to offer human growth and development instruction to notify each pupil's parent or guardian of this fact.

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11 responsibilities associated with growth and development.

12 (d) Recognition of unwanted physical and verbal sexual advances and the
13 rejection of unwanted sexual advances.

14 (e) Sexual stereotypes and protective behavior.

15 (f) ^{Information about ← about} Counseling and medical and legal resources available to survivors of sexual
16 assault.

BILL

1 (g) Beginning in grade 7, marriage and parental responsibilities; prenatal
2 development; childbirth; adoption; the social, psychological, and health benefits of
3 abstaining from sexual activity, including the prevention of pregnancy and sexually
4 transmitted diseases; and how sexually transmitted diseases are transmitted and
5 the effectiveness and safety of all federal food and drug administration methods of
6 reducing the risk of ^{unintended pregnancy and} contracting sexually transmitted diseases.

7 SECTION 2. 118.019 (2m) of the statutes is repealed.

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20 growth and development, by September 30 of each school year, it shall send a notice
21 to the parent or guardian of each pupil that includes a statement that the school
22 board is permitted to provide instruction in human growth and development in
23 kindergarten to grade 12, the required subjects of the instruction under sub. (2), and

BILL

1 a statement that the school board is not providing human growth and development
2 instruction to its pupils.

3 (END)

Barman, Mike

From: Mcginnis, Cindy
Sent: Tuesday, September 13, 2005 2:37 PM
To: LRB.Legal
Subject: Draft review: LRB 05-2999/2 Topic: Require school boards to provide comprehensive sex ed

It has been requested by <Mcginnis, Cindy> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2999/2 Topic: Require school boards to provide comprehensive sex ed