

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 309**

June 16, 2005 – Offered by Representatives GRIGSBY and SINICKI.

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 substitute amendment 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 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. Finally, the substitute amendment 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.

1 (f) Information about counseling and medical and legal resources available to
2 survivors of sexual assault.

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

10 **SECTION 2.** 118.019 (2m) of the statutes is repealed.

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

12 118.019 (3) (title) DISTRIBUTION OF CURRICULUM TO PARENTS; NOTICE.

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

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

1 kindergarten to grade 12, the required subjects of the instruction under sub. (2), and
2 a statement that the school board is not providing human growth and development
3 instruction to its pupils.

4 (END)