



State of Wisconsin
2013 - 2014 LEGISLATURE



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**SENATE AMENDMENT 8,
TO SENATE BILL 206**

June 11, 2013 – Offered by Senators ERPENBACH, L. TAYLOR, HANSEN, LASSA, C. LARSON, RISSER, T. CULLEN, MILLER, LEHMAN, SHILLING, HARRIS and VINEHOUT.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 5: after “an abortion,” insert “providing instruction in human
3 growth and development,”.

4 **2.** Page 4, line 1: before that line insert:

5 “**SECTION 1ab.** 115.29 (7) of the statutes is amended to read:

6 115.29 (7) TEEN PREGNANCY PREVENTION. Apply for all federal funds allocated
7 ~~for providing instruction in any of the subjects identified in s. 118.019 to~~
8 evidence-based teen pregnancy prevention programs that have been proven through
9 rigorous evaluation to delay sexual activity, increase contraceptive use, and reduce
10 teen pregnancy in order to implement such a program.

11 **SECTION 1ae.** 118.019 (1) of the statutes is repealed and recreated to read:

12 118.019 (1) PURPOSE. The purpose of this section is to encourage all school
13 boards to ensure that pupils in their districts are provided age-appropriate

1 instruction in human growth and development. The instruction should support and
2 enhance communication between pupils and their parents and provide pupils with
3 the knowledge, skills, and support necessary to make healthy decisions now and
4 throughout their lifetimes and to make responsible decisions about sexual behavior.

5 **SECTION 1ah.** 118.019 (1m) (a) of the statutes is amended to read:

6 118.019 (1m) (a) “Age-appropriate” means suitable to a particular age group
7 of pupils based on ~~their~~ the developing cognitive and emotional capacity of and
8 ~~consistent with adolescent development and community standards~~ behaviors typical
9 for the age group.

10 **SECTION 1aL.** 118.019 (1m) (b) of the statutes is renumbered 118.019 (1m) (b)
11 (intro.) and amended to read:

12 118.019 (1m) (b) (intro.) “Medically accurate information” means information
13 ~~that is scientifically-based and published, where~~ satisfies all of the following:

14 2. Where appropriate, the information is published in peer-reviewed journals
15 and textbooks.

16 **SECTION 1ap.** 118.019 (1m) (b) 1. and 3. of the statutes are created to read:

17 118.019 (1m) (b) 1. The information is supported by the weight of research
18 conducted in compliance with accepted scientific methods.

19 3. The information is recognized as accurate by relevant leading professional
20 organizations or agencies, such as the American Medical Association, the American
21 Public Health Association, or the American Academy of Pediatrics.

22 **SECTION 1ar.** 118.019 (2) (intro.) of the statutes is repealed and recreated to
23 read:

1 118.019 (2) SUBJECTS. (intro.) A school board may provide an instructional
2 program in human growth and development in grades kindergarten to 12. If
3 provided, the instructional program shall do all of the following:

4 **SECTION 1at.** 118.019 (2) (a) 1. and 2. of the statutes are amended to read:

5 118.019 (2) (a) 1. The importance of communication about sexuality and
6 decision making about sexual behavior between the pupil and the pupil's parents ~~or,~~
7 guardians, or other family members.

8 2. Reproductive and sexual anatomy and physiology, including biological,
9 psychosocial, and emotional, ~~and intellectual~~ changes that accompany maturation.

10 **SECTION 1aw.** 118.019 (2) (a) 3. and 4. of the statutes are created to read:

11 118.019 (2) (a) 3. Puberty, pregnancy, parenting, body image, and gender
12 stereotypes.

13 4. The skills needed to make responsible decisions about sexuality and sexual
14 behavior throughout the pupil's life, including how to refrain from making
15 inappropriate verbal, physical, and sexual advances and how to recognize, rebuff,
16 and report any unwanted or inappropriate verbal, physical, and sexual behaviors.

17 **SECTION 1ay.** 118.019 (2) (a) 5. of the statutes is amended to read:

18 118.019 (2) (a) 5. The benefits of and reasons for abstaining from sexual
19 activity. Instruction under this subdivision shall stress the value of abstinence as
20 the ~~only~~ most reliable way to prevent pregnancy and sexually transmitted infections,
21 ~~and shall identify the skills necessary to remain abstinent.~~

22 **SECTION 1bc.** 118.019 (2) (a) 6. of the statutes is created to read:

23 118.019 (2) (a) 6. The health benefits, side effects, and proper use of
24 contraceptives and barrier methods approved by the federal food and drug

1 administration to prevent pregnancy and barrier methods approved by the federal
2 food and drug administration to prevent sexually transmitted infections.

3 **SECTION 1be.** 118.019 (2) (a) 10. and 11. of the statutes are repealed.

4 **SECTION 1bg.** 118.019 (2) (b) of the statutes is created to read:

5 118.019 (2) (b) Use instructional methods and materials that do not promote
6 bias against pupils of any race, gender, sexual orientation, or ethnic or cultural
7 background or against sexually active pupils or children with disabilities.

8 **SECTION 1bi.** 118.019 (2) (c) of the statutes is amended to read:

9 118.019 (2) (c) ~~Address Promote self-esteem and personal responsibility,~~
10 ~~positive interpersonal skills, and with an emphasis on healthy relationships,~~
11 ~~including friendships, marriage, and romantic and familial relationships.~~

12 **SECTION 1bk.** 118.019 (2) (e) and (f) of the statutes are repealed.

13 **SECTION 1bm.** 118.019 (2d) of the statutes is repealed.

14 **SECTION 1bp.** 118.019 (2m) (intro.) of the statutes is renumbered 118.019 (2m)
15 (a) and amended to read:

16 118.019 (2m) (a) If a school board provides instruction in any of the areas under
17 sub. (2) (a), the school board shall ensure that instruction ~~conforms to s. 118.13 (1)~~
18 ~~and that the following is provided, when age appropriate, in the same course and~~
19 ~~during the same year: in marriage and parental responsibility is provided.~~

20 **SECTION 1br.** 118.019 (2m) (b) (intro.) of the statutes is created to read:

21 118.019 (2m) (b) (intro.) The school board shall ensure that instruction related
22 to the areas under sub. (2) (a) does all of the following:

23 **SECTION 1bt.** 118.019 (2m) (c) of the statutes is renumbered 118.019 (2m) (b)
24 1. and amended to read:

1 118.019 (2m) (b) 1. Presents abstinence from sexual activity as the preferred
2 choice of behavior in relationship to all sexual activity for unmarried pupils.

3 **SECTION 1bv.** 118.019 (2m) (d) of the statutes is renumbered 118.019 (2m) (b)
4 2. and amended to read:

5 118.019 (2m) (b) 2. Emphasizes that abstinence from sexual activity before
6 marriage is the ~~only reliable~~ most reliable way to prevent pregnancy and sexually
7 transmitted diseases, including human immunodeficiency virus and acquired
8 immunodeficiency syndrome.

9 **SECTION 1bx.** 118.019 (2m) (e) of the statutes is repealed.

10 **SECTION 1cb.** 118.019 (2m) (f) of the statutes is repealed.

11 **SECTION 1cd.** 118.019 (2m) (g) of the statutes is renumbered 118.019 (2r) (a)
12 and amended to read:

13 118.019 (2r) (a) ~~Explains the~~ The criminal penalties under ch. 948 for engaging
14 in sexual activities involving a child.

15 **SECTION 1cf.** 118.019 (2m) (h) of the statutes is renumbered 118.019 (2r) (b) and
16 amended to read:

17 118.019 (2r) (b) ~~Explains the~~ The sex offender registration requirements under
18 s. 301.45. Instruction under this paragraph shall include who is required to report
19 under s. 301.45, what information must be reported, who has access to the
20 information reported, and the implications of being registered under s. 301.45.

21 **SECTION 1cg.** 118.019 (2m) (i) of the statutes is repealed.

22 **SECTION 1ch.** 118.019 (2r) (intro.) of the statutes is created to read:

23 118.019 (2r) REQUIRED SUBJECTS. (intro.) A school board that provides an
24 instructional program in human growth and development under this section shall,
25 when age-appropriate, instruct pupils about all of the following:

1 **SECTION 1cj.** 118.019 (2s) of the statutes is repealed.

2 **SECTION 1cL.** 118.019 (3) of the statutes is renumbered 118.019 (3) (intro.) and
3 amended to read:

4 118.019 (3) DISTRIBUTION OF CURRICULUM TO PARENTS; NOTICE. (intro.) Each
5 school board that provides an instructional program in human growth and
6 development shall annually provide the parents or guardians of each pupil enrolled
7 in the school district with an outline of the human growth and development
8 curriculum used in the pupil's grade level, and information regarding how the parent
9 or guardian may inspect the complete curriculum and instructional materials, ~~an~~
10 ~~explanation of the exemption under sub. (4), and a statement that pupils exempted~~
11 ~~from instruction under this section will still receive instruction in the subjects under~~
12 ~~s. 118.01 (2) (d) 2. c., unless exempted, and s. 118.01 (2) (d) 8.~~ The school board shall
13 make the complete human growth and development curriculum and all instructional
14 materials available for inspection by a parent or guardian upon his or her request
15 at any time, including prior to their use in the classroom. A school board that elects
16 not to provide an instructional program in human growth and development under
17 this section shall, by September 30 of each school year, send home to the parent or
18 guardian of each pupil enrolled in the school district a notice that includes all of the
19 following:

20 **SECTION 1cn.** 118.019 (3) (a), (b) and (c) of the statutes are created to read:

21 118.019 (3) (a) A statement that the school board is encouraged by state statute
22 to provide instruction in human growth and development in grades kindergarten to
23 12.

24 (b) The subjects of instruction required under subs. (2), (2m), and (2r) if the
25 school board were to provide instruction in human growth and development.

1 (c) A statement that the school board is not providing any human growth and
2 development instruction to pupils enrolled in the school district.

3 **SECTION 1cp.** 118.019 (4) of the statutes is amended to read:

4 118.019 (4) EXEMPTION FOR INDIVIDUAL PUPILS. No pupil may be required to take
5 instruction in human growth and development or in the specific subjects under subs.
6 (2) and ~~(2m)~~ (2r) if the pupil's parent or guardian files with the teacher or school
7 principal a written request that the pupil be exempted.

8 **SECTION 1cs.** 118.019 (5) of the statutes is amended to read:

9 118.019 (5) ADVISORY COMMITTEE. In any school district that offers a human
10 growth and development curriculum, the school board shall appoint an ~~ad hoc~~
11 advisory committee ~~whose role is to advise the school board on the design and~~
12 ~~implementation of the human growth and development curriculum and to review the~~
13 ~~curriculum. Parents~~ composed of parents, teachers, school administrators, pupils,
14 health care professionals, members of the clergy, and other residents of the school
15 district shall ~~comprise the committee. No one category of member shall constitute~~
16 ~~more than one-fifth of the membership of the committee, except that parents may~~
17 ~~comprise more than one-fifth of the membership of the committee. No more than one~~
18 ~~quarter of the members of the committee may be made up of employees of the school~~
19 ~~district or their spouses or members of the school board or their spouses. The~~
20 advisory committee shall develop the human growth and development curriculum
21 and advise the school board on the design, review, and implementation of the
22 advisory committee's human growth and development curriculum. The advisory
23 committee shall review the curriculum at least every 3 years.

24 **SECTION 1cv.** 146.89 (3r) (e) of the statutes is amended to read:

