



## 2005 SENATE BILL 340

September 20, 2005 - Introduced by Senators TAYLOR, ERPENBACH, RISSER and PLALE, cosponsored by Representatives GRIGSBY, BENEDICT, BERCEAU, BLACK, FIELDS, KESSLER, POCAN, SEIDEL, SHERIDAN, SINICKI, TRAVIS, WASSERMAN and YOUNG. Referred to Committee on Education.

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.

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### *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

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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 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.

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*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) Information about counseling and medical and legal resources available to  
16 survivors of sexual assault.

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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  
7 diseases.

8 **SECTION 2.** 118.019 (2m) of the statutes is repealed.

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

10 118.019 (3) (title) DISTRIBUTION OF CURRICULUM TO PARENTS; NOTICE.

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

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

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**SECTION 4**

1 a statement that the school board is not providing human growth and development

2 instruction to its pupils.

3 (END)