

SB 1082 sex education; schools (S. Allen)

- Defines “sex education” as any course of study or instruction on human sexuality, sexual activity, sexual conduct, ultimate sexual acts, intimate relationships, sexually transmitted infections, contraception, pregnancy, and HIV/AIDS.
- Restricts elective instruction on sex education in school districts and charter schools to students in grades 7-12, rather than the current K-12.
- Prohibits a school district or charter school from offering sex education to a student before the seventh grade.
 - Clarifies that this prohibition does not include instruction on health or personal safety as outlined in the Arizona health standards
 - Defines “health instruction” as any instruction including a discussion of essential health principles and skills, of a nonsexual nature that is necessary to develop and maintain healthy behaviors and lifestyles, as well as age-appropriate instruction on physical, biological and hormonal changes during the stages of human maturation.
 - Defines “personal safety” as any age-appropriate instruction that promotes a child’s self-protection, including how to avoid potentially dangerous or risky encounters, sexual contact and unwanted physical contact.
- Requires a school district governing board or charter school governing body to review and approve sex education curriculum when it is developed or adopted, and each time it is revised, or updated.
- Requires a governing board or governing body, prior to approving any sex education curriculum, to involve the public in the following ways:
 - All meetings of committees responsible for reviewing and selecting the sex education course of study must be conducted under the open meeting law and be publicly noticed at least two weeks in advance
 - Any proposed course of study must be made available for public review and comment at least 60 days before the governing board considers approval
 - At least two public hearings must be held during the 60-day approval process
 - Public comments must include written, oral, and comments received via email
- Requires sex education approved by a school district or charter school to:
 - Promote abstinence (current law) or the return to abstinence for sexually active students (new addition)
 - Emphasize abstinence as the expected standard of conduct for minors
 - Emphasize sexual risk avoidance rather than sexual risk reduction
- Prohibits sex education approved by a school district or charter school from:
 - Furnishing material to minors that meets the definition of “harmful to minors” as defined in the criminal code
 - Normalizing sexual conduct between minors or with a minor

- Suggest that any type of sexual conduct between minors is safe or without risk
- Removes the option for a school district to request guidance from ADE on a suggested course of study, teacher training, or a list of available films or other teaching aids.
- Prohibits instruction on sex education from occurring outside of the formally adopted sex education curriculum.
- Requires each school district and charter school that offers sex education instruction to review its course of study and revise it to comply with requirements by December 15, 2020.

Parental Notification and Permission

- Requires schools to make instructional and supplemental materials and the sources of those materials available to parents for review.
- Requires that sex education permission slips that allow parents to enroll their student in sex education classes must contain the following information:
 - A written permission form that includes an outline of the topics that are included in the sex education curricula
 - A notification to the parent of their right to review the learning materials at the school or district office during regular business hours.
- Requires a school district or charter school to notify all parents of the approved course of study and provide course materials for review at an accessible location at least two weeks in advance of the instruction
- Requires parental notification to include:
 - Information on any business, organization, guest speaker, outside entity, or contractor that may provide or assist with sex education materials or instruction in the school
 - Information on any sex education materials or instruction that refers students to visit or research available clinics or businesses that are regulated as abortion clinics
 - An acknowledgement that the district has reviewed the sex education materials and found it is not harmful to minors

Parental Complaints

- Requires a student or parent seeking to initiate legal action to submit a written complaint to the school principal with specific facts of the alleged violation
- Requires the school principal to investigate the complaint and respond in writing within 15 days, including a description of any action taken to resolve the complaint
- Requires that if the action taken by the principal of the school does not resolve the complaint, a written complaint may be submitted to the superintendent or designated administrator, who must investigate and respond to the complaint within 25 days.

- If the action taken by the superintendent does not resolve the complaint, the student or student's parent may pursue legal action