

1 AN ACT relating to human growth and development instruction.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 158.1415 is amended to read as follows:

4 (1) If a **school district**~~[school council or, if none exists, the principal]~~ adopts a  
5 curriculum for human sexuality or sexually transmitted diseases, instruction shall  
6 include but not be limited to the following content:

7 (a) Abstinence from sexual activity is the desirable goal for all school-age  
8 children;

9 (b) Abstinence from sexual activity is the only certain way to avoid unintended  
10 pregnancy, sexually transmitted diseases, and other associated health  
11 problems;

12 (c) The best way to avoid sexually transmitted diseases and other associated  
13 health problems is to establish a permanent mutually faithful monogamous  
14 relationship;

15 (d) A policy to respect parental rights by ensuring that:

16 1. Children in grade five (5) and below do not receive any instruction  
17 through curriculum or programs on human sexuality or sexually  
18 transmitted diseases; or

19 2. Any child, regardless of grade level, enrolled in the district does not  
20 receive any instruction or presentation that has a goal or purpose of  
21 students studying or exploring gender identity, gender expression, or  
22 sexual orientation; and

23 (e) A policy to notify a parent in advance and obtain the parent's written consent  
24 before the parent's child in grade six (6) or above receives any instruction  
25 through curriculum or programs on human sexuality or sexually transmitted  
26 diseases authorized in this section.

27 (2) ***Each school district shall adopt health curriculum for students in grade six (6) or***

1 above that includes instruction on human growth and development. The  
2 instruction on human growth and development shall include a presentation of:

3 (a) A high-definition ultrasound video, at least three (3) minutes in duration,  
4 showing the development of the brain, heart, sex organs, and other vital  
5 organs in early fetal development; and

6 (b) An age-appropriate, high-quality, computer-generated rendering or  
7 animation showing the process of human cell fertilization and every stage of  
8 human development inside the uterus, noting significant markers in cell  
9 growth and organ development for the duration of the pregnancy until  
10 birth.

11 **(3)** Any course, curriculum, or program offered by a public school on the subject of  
12 human sexuality or human growth and development provided by school personnel  
13 or by third parties authorized by the school shall:

14 (a) Provide an alternative course, curriculum, or program without any penalty to  
15 the student's grade or standing for students whose parents have not provided  
16 written consent as required in subsection (1)(e) of this section;

17 (b) Be subject to an inspection by parents of participating students that allows  
18 parents to review the following materials:

- 19 1. Curriculum;
- 20 2. Instructional materials;
- 21 3. Lesson plans;
- 22 4. Assessments or tests;
- 23 5. Surveys or questionnaires;
- 24 6. Assignments; and
- 25 7. Instructional activities;

26 (c) Be developmentally appropriate; and

27 (d) Be limited to a curriculum that has been subject to the reasonable review and

1 response by stakeholders in conformity with this subsection and KRS  
2 160.345(2).

3 ~~(4)~~~~(3)~~ A public school offering any course, curriculum, or program on the subject of  
4 human sexuality or human growth and development shall provide written  
5 notification to the parents of a student at least two (2) weeks prior to the student's  
6 planned participation in the course, curriculum, or program. The written notification  
7 shall:

- 8 (a) Inform the parents of the provisions of subsection ~~(3)~~~~(2)~~ of this section;  
9 (b) Provide the date the course, curriculum, or program is scheduled to begin;  
10 (c) Detail the process for a parent to review the materials outlined in subsection  
11 ~~(3)~~~~(2)~~ of this section;  
12 (d) Explain the process for a parent to provide written consent for the student's  
13 participation in the course, curriculum, or program; and  
14 (e) Provide the contact information for the teacher or instructor of the course,  
15 curriculum, or program and a school administrator designated with oversight.

16 ~~(5)~~~~(4)~~ Nothing in this section shall prohibit school personnel from:

- 17 (a) Discussing human sexuality, including the sexuality of any historic person,  
18 group, or public figure, where the discussion provides necessary context in  
19 relation to a topic of instruction from a curriculum approved pursuant to KRS  
20 160.345; or  
21 (b) Responding to a question from a student during class regarding human  
22 sexuality as it relates to a topic of instruction from a curriculum approved  
23 pursuant to KRS 160.345.

24 ➔Section 2. This Act may be cited as the Baby Olivia Act.