

1 AN ACT relating to human sexuality instruction in public schools.

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 council or, if none exists, the principal adopts a curriculum for human
5 sexuality or sexually transmitted diseases, instruction shall include but not be
6 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. **Except as provided in subsection (4)(b) of this section,** children in
17 grade five (5) and below do not receive any instruction through
18 curriculum or programs on human sexuality or sexually transmitted
19 diseases; or

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

24 (e) A policy to notify a parent~~[in advance and obtain the parent's written consent]~~
25 before the parent's child in grade six (6) or above receives any instruction
26 through curriculum or programs on human sexuality or sexually transmitted
27 diseases authorized in this section. **The notice shall inform the parent of how**

1 **to opt his or her child out of the instruction.**

2 (2) Any course, curriculum, or program offered by a public school on the subject of
3 human sexuality provided by school personnel or by third parties authorized by the
4 school shall:

5 (a) Provide an alternative course, curriculum, or program without any penalty to
6 the student's grade or standing for students whose parents have **opted his or**
7 **her child out of instruction in accordance with**~~[not provided written consent~~
8 ~~as required in]~~ subsection (1)(e) of this section;

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

- 11 1. Curriculum;
- 12 2. Instructional materials;
- 13 3. Lesson plans;
- 14 4. Assessments or tests;
- 15 5. Surveys or questionnaires;
- 16 6. Assignments; and
- 17 7. Instructional activities;

18 (c) Be developmentally appropriate; and

19 (d) Be limited to a curriculum that has been subject to the reasonable review and
20 response by stakeholders in conformity with this subsection and KRS
21 160.345(2).

22 (3) A public school offering any course, curriculum, or program on the subject of
23 human sexuality shall provide ~~[written]~~ notification to the parents of a student at
24 least two (2) weeks prior to the student's planned participation in the course,
25 curriculum, or program. The ~~[written]~~ notification shall:

26 (a) Inform the parents of the provisions of subsection (2) of this section;

27 (b) Provide the date the course, curriculum, or program is scheduled to begin;

- 1 (c) Detail the process for a parent to review the materials outlined in subsection
2 (2) of this section;
- 3 (d) Explain the process for a parent to ***opt out of***~~provide written consent for~~ the
4 student's participation in the course, curriculum, or program; and
- 5 (e) Provide the contact information for the teacher or instructor of the course,
6 curriculum, or program and a school administrator designated with oversight.
- 7 (4) Nothing in this section shall prohibit school personnel from:
- 8 (a) Discussing human sexuality, including the sexuality of any historic person,
9 group, or public figure, where the discussion provides necessary context in
10 relation to a topic of instruction from a curriculum approved pursuant to KRS
11 160.345;~~or~~
- 12 (b) ***Providing age-appropriate instruction on puberty through curriculum or***
13 ***programs, regardless of grade level; or***
- 14 ***(c)*** Responding to a question from a student during class regarding human
15 sexuality as it relates to a topic of instruction from a curriculum approved
16 pursuant to KRS 160.345.