

1 AN ACT relating to human growth and development instruction.

2 WHEREAS, the General Assembly recognizes that a comprehensive education on
3 human growth and development is essential to the health, safety, and well-being of
4 Kentucky children; and

5 WHEREAS, age-appropriate instruction ensures that children receive information
6 that is suitable for their developmental stage, protecting their innocence while preparing
7 them for future responsibilities; and

8 WHEREAS, teaching students about human growth and development in a manner
9 aligned with their age promotes understanding of their bodies, relationships, and personal
10 boundaries in a healthy and responsible way; and

11 WHEREAS, parents have the fundamental right to guide the moral and educational
12 upbringing of their children, and curricula should respect and support parental authority;
13 and

14 WHEREAS, schools should ensure that instruction on human growth and
15 development reflects scientifically accurate information, promotes healthy decision
16 making, and prioritizes the safety and long-term welfare of students; and

17 WHEREAS, it is the responsibility of the Commonwealth to provide clear statutory
18 guidance to schools so that instruction promotes public health while upholding family
19 values, parental rights, and developmentally appropriate learning;

20 NOW, THEREFORE,

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

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

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

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

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

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

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

 1. Except as provided in subsection (5)(4)(b) of this section, children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or
 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and

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

(2) Each school district shall adopt health curriculum for students in grade six (6) or above that includes instruction on human growth and development. The instruction on human growth and development shall include a presentation of:

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

(b) An age-appropriate, high-quality, computer-generated rendering or animation showing the process of human cell fertilization and every stage of

1 human development inside the uterus, noting significant markers in cell
2 growth and organ development for the duration of the pregnancy until
3 birth.

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

- 7 (a) Provide an alternative course, curriculum, or program without any penalty to
8 the student's grade or standing for students whose parents have not provided
9 written consent as required in subsection (1)(e) of this section;
- 10 (b) Be subject to an inspection by parents of participating students that allows
11 parents to review the following materials:
- 12 1. Curriculum;
- 13 2. Instructional materials;
- 14 3. Lesson plans;
- 15 4. Assessments or tests;
- 16 5. Surveys or questionnaires;
- 17 6. Assignments; and
- 18 7. Instructional activities;
- 19 (c) Be developmentally appropriate; and
- 20 (d) Be limited to a curriculum that has been subject to the reasonable review and
21 response by stakeholders in conformity with this subsection and KRS
22 160.345(2).

23 (4){(3)} A public school offering any course, curriculum, or program on the subject of
24 human sexuality or human growth and development shall provide notification to
25 the parents of a student at least two (2) weeks prior to the student's planned
26 participation in the course, curriculum, or program. The notification shall:

- 27 (a) Inform the parents of the provisions of subsection (3){(2)} of this section;

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

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

 - (a) Discussing human sexuality, including the sexuality of any historic person, group, or public figure, where the discussion provides necessary context in relation to a topic of instruction from a curriculum approved pursuant to KRS 160.345;
 - (b) Providing age-appropriate instruction on child sexual abuse through curriculum or programs in accordance with the standards set forth by the National Children's Alliance and approved by the Children's Advocacy Centers of Kentucky, regardless of grade level; or
 - (c) Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to KRS 160.345.