

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 grade  
17            five (5) and below do not receive any instruction through curriculum or  
18            programs on human sexuality or sexually 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. **The notice shall inform the parent of how**  
27           **to opt his or her child out of the instruction.**

- 1       (2) Any course, curriculum, or program offered by a public school on the subject of  
2           human sexuality provided by school personnel or by third parties authorized by the  
3           school shall:
  - 4           (a) Provide an alternative course, curriculum, or program without any penalty to  
5               the student's grade or standing for students whose parents have opted their  
6               children out of instruction in accordance with~~not provided written consent~~  
7               as required in subsection (1)(e) of this section;
  - 8           (b) Be subject to an inspection by parents of participating students that allows  
9               parents to review the following materials:
    - 10           1. Curriculum;
    - 11           2. Instructional materials;
    - 12           3. Lesson plans;
    - 13           4. Assessments or tests;
    - 14           5. Surveys or questionnaires;
    - 15           6. Assignments; and
    - 16           7. Instructional activities;
  - 17           (c) Be developmentally appropriate; and
  - 18           (d) Be limited to a curriculum that has been subject to the reasonable review and  
19               response by stakeholders in conformity with this subsection and KRS  
20               160.345(2).
- 21       (3) A public school offering any course, curriculum, or program on the subject of  
22           human sexuality shall provide notification to the parents of a student at least two (2)  
23           weeks prior to the student's planned participation in the course, curriculum, or  
24           program. The notification shall:
  - 25           (a) Inform the parents of the provisions of subsection (2) of this section;
  - 26           (b) Provide the date the course, curriculum, or program is scheduled to begin;
  - 27           (c) Detail the process for a parent to review the materials outlined in subsection

1 (2) of this section;

2 (d) Explain the process for a parent to opt out of [provide written consent for] the  
3 student's participation in the course, curriculum, or program; and

4 (e) Provide the contact information for the teacher or instructor of the course,  
5 curriculum, or program and a school administrator designated with oversight.

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

7 (a) Discussing human sexuality, including the sexuality of any historic person,  
8 group, or public figure, where the discussion provides necessary context in  
9 relation to a topic of instruction from a curriculum approved pursuant to KRS  
10 160.345;

11 (b) Providing age-appropriate instruction on child sexual abuse through  
12 curriculum or programs in accordance with the standards set forth by the  
13 National Children's Alliance and approved by the Children's Advocacy  
14 Centers of Kentucky, regardless of grade level; [or]

15 (c) Providing age-appropriate instruction on puberty through curriculum or  
16 programs, regardless of grade level; or

17 (d) Responding to a question from a student during class regarding human  
18 sexuality as it relates to a topic of instruction from a curriculum approved  
19 pursuant to KRS 160.345.