

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.