

FIRST REGULAR SESSION

# HOUSE BILL NO. 34

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DAVIS (Sponsor), CUNNINGHAM (86), FLOOK, SATER,  
MOORE AND EMERY (Co-sponsors).

Pre-filed December 1, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0072L.011

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### AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to human sexuality instruction.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 170.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 170.015, to read as follows:

170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

(2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) [Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           (4)] Include a discussion of the possible emotional and psychological consequences of  
17 preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as  
18 well as the advantages of adoption, including the adoption of special needs children, and the  
19 processes involved in making an adoption plan;

20           [(5)] (4) Teach skills of conflict management, personal responsibility and positive  
21 self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the  
22 pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions  
23 on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations,  
24 such as respect for one's self and others. Pupils shall be taught not to make unwanted physical  
25 and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist  
26 unwanted sexual advances and other negative peer pressure;

27           [(6)] (5) Advise pupils of the laws pertaining to their financial responsibility to children  
28 born in and out of wedlock and advise pupils of the provisions of chapter 566, RSMo, pertaining  
29 to statutory rape.

30           2. Policies concerning referrals and parental notification regarding contraception shall  
31 be determined by local school boards, consistent with the provisions of section 167.611, RSMo.

32           3. A school district which provides human sexuality instruction may separate students  
33 according to gender for instructional purposes.

34           4. The board of a school district shall determine the specific content of the district's  
35 instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall  
36 ensure that all instruction in human sexuality is appropriate to the age of the students receiving  
37 such instruction.

38           5. A school district shall notify the parent or legal guardian of each student enrolled in  
39 the district of:

40           (1) The basic content of the district's human sexuality instruction to be provided to the  
41 student; and

42           (2) The parent's right to remove the student from any part of the district's human  
43 sexuality instruction.

44           6. A school district shall make all curriculum materials used in the district's human  
45 sexuality instruction available for public inspection pursuant to chapter 610, RSMo, prior to the  
46 use of such materials in actual instruction.