

HOUSE BILL No. 5793

March 13, 2002, Introduced by Reps. Gosselin, Voorhees, Drolet and Vear and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1507 (MCL 380.1507), as amended by 1993 PA
335.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1507. (1) The board of a school district may engage
2 qualified instructors and provide facilities and equipment for
3 instruction in sex education, including family planning, human
4 sexuality, and the emotional, physical, psychological, hygienic,
5 economic, and social aspects of family life. Instruction may
6 also include the subjects of reproductive health and the recogni-
7 tion, prevention, and treatment of sexually transmitted disease.
8 Subject to subsection (6), the instruction described in this
9 subsection shall include the teaching of abstinence from sex as a
10 responsible method of preventing unwanted pregnancy and sexually

1 transmitted disease and as a positive lifestyle for unmarried
2 young people.

3 (2) The class described in subsection (1) shall be elective
4 and not a requirement for graduation.

5 (3) A pupil shall not be enrolled in a class in which the
6 subjects of family planning or reproductive health are discussed
7 unless the pupil's parent or guardian is notified in advance of
8 the course and the content of the course, is given a prior oppor-
9 tunity to review the materials to be used in the course, and is
10 notified in advance of his or her right to have the pupil excused
11 from the class. The state board shall determine the form and
12 content of the notice required in this subsection.

13 (4) Upon the written request of a pupil or the pupil's
14 parent or legal guardian, a pupil shall be excused, without pen-
15 alty or loss of academic credit, from attending the class
16 described in subsection (1).

17 (5) A school district that provides a class as permitted by
18 subsection (1) shall offer the instruction by teachers qualified
19 to teach health education. A school district shall not offer
20 this instruction unless an advisory board is established by the
21 district board to periodically review the materials and methods
22 of instruction used, and to make recommendations to the district
23 regarding changes in the materials or methods. The advisory
24 board shall consist of parents having children attending the
25 district's schools, pupils in the district's schools, educators,
26 local clergy, and community health professionals. THE SCHOOL
27 BOARD SHALL ENSURE THAT A MAJORITY OF THE MEMBERS OF THIS

1 ADVISORY BOARD ARE PARENTS OF PUPILS ENROLLED IN THE SCHOOL
2 DISTRICT.

3 (6) Before adopting any revisions in the materials or
4 methods used in instruction under this section, including, but
5 not limited to, revisions to provide for the teaching of absti-
6 nence from sex as a method of preventing unwanted pregnancy and
7 sexually transmitted disease, the board of a school district
8 shall hold at least 2 public hearings on the proposed revisions.
9 The hearings shall be held at least 1 week apart and public
10 notice of the hearings shall be given in the manner required
11 under section 1201 for board meetings. A public hearing held
12 pursuant to this section may be held in conjunction with a public
13 hearing held pursuant to section 1169.

14 (7) A person shall not dispense or otherwise distribute in a
15 public school a family planning drug or device.

16 (8) As used in this section, ~~and section 1508,~~ "family
17 planning" means the use of a range of methods of fertility regu-
18 lation to help individuals or couples avoid unwanted pregnancies;
19 bring about wanted births; regulate the intervals between preg-
20 nancies; and plan the time at which births occur in relation to
21 the age of parents. It may include the study of fetology. It
22 may include marital and genetic information. Clinical abortion
23 shall not be considered a method of family planning, nor shall
24 abortion be taught as a method of reproductive health.

25 (9) As used in this section:

26 (a) "Class" means an instructional period of limited
27 duration, not to exceed 2 hours, within a course of instruction.

1 (b) "Course" means a series of classes linked by a common
2 subject matter.