

# SENATE BILL NO. 1219

November 10, 2022, Introduced by Senator CHANG and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1507 (MCL 380.1507), as amended by 2004 PA 165.

## **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 also

1 include the subjects of reproductive health and the recognition,  
2 prevention, and treatment of sexually transmitted ~~disease~~.  
3 **infection**. Subject to subsection (7) and section 1507b, the  
4 instruction described in this subsection shall stress that  
5 abstinence from sex is a responsible and effective method of  
6 preventing unplanned or out-of-wedlock pregnancy and sexually  
7 transmitted ~~disease~~**infection** and is a positive lifestyle for  
8 unmarried young ~~people~~**individuals**.

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

11 (3) A pupil shall not be enrolled in a class in which the  
12 subjects of family planning or reproductive health are discussed  
13 unless the pupil's parent or guardian is notified in advance of the  
14 course and the content of the course, is given a prior opportunity  
15 to review the materials to be used in the course and is notified in  
16 advance of ~~his or her~~**the** right to have the pupil excused from the  
17 class. The state board shall determine the form and content of the  
18 notice required in this subsection.

19 (4) Upon the written request of a pupil or the pupil's parent  
20 or legal guardian, a pupil shall be excused, without penalty or  
21 loss of academic credit, from attending a class described in  
22 subsection (1).

23 (5) A school district that provides a class as permitted by  
24 subsection (1) shall offer the instruction by teachers qualified to  
25 teach health education. A school district shall not offer this  
26 instruction unless a sex education advisory board is established by  
27 the board of the school district. The board of a school district  
28 shall determine terms of service for the sex education advisory  
29 board, the number of members to serve on the advisory board, and a

1 membership selection process that reasonably reflects the school  
2 district population, and shall appoint 2 co-chairs for the advisory  
3 board, at least 1 of whom is a parent of a child attending a school  
4 operated by the school district. At least 1/2 of the members of the  
5 sex education advisory board shall be parents who have a child  
6 attending a school operated by the school district, and a majority  
7 of these parent members shall be individuals who are not employed  
8 by a school district. The board of a school district shall include  
9 pupils of the school district, educators, local clergy, and  
10 community health professionals on the sex education advisory board.  
11 Written or electronic notice of a sex education advisory board  
12 meeting shall be sent to each member at least 2 weeks before the  
13 date of the meeting. The advisory board shall do all of the  
14 following:

15 (a) Establish program goals and objectives for pupil knowledge  
16 and skills that are likely to reduce the rates of sex, pregnancy,  
17 and sexually transmitted ~~diseases~~ **infections**. This subdivision  
18 does not prohibit a school district from establishing additional  
19 program goals and objectives that are not contrary to this section,  
20 section 1169, or section 1507b.

21 (b) Review the materials and methods of instruction used and  
22 make recommendations to the board of the school district for  
23 implementation. The advisory board shall take into consideration  
24 the school district's needs, demographics, and trends, including,  
25 but not limited to, teenage pregnancy rates, sexually transmitted  
26 ~~disease~~ **infection** rates, and incidents of student sexual violence  
27 and harassment.

28 (c) At least once every 2 years, evaluate, measure, and report  
29 the attainment of program goals and objectives established under

subdivision (a). The board of a school district shall make the resulting report available to parents in the school district.

(6) Before adopting any revisions in the materials or methods used in instruction under this section, including, but not limited to, revisions to provide for the teaching of abstinence from sex as a method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted ~~disease,~~ **infection**, the board of a school district shall hold at least 2 public hearings on the proposed revisions. The hearings shall be held at least 1 week apart and public notice of the hearings shall be given in the manner required under section 1201 for board meetings. A public hearing held ~~pursuant to~~ **under** this section may be held in conjunction with a public hearing held ~~pursuant to~~ **under** section 1169.

(7) ~~A~~ **Except for an individual who is a health professional operating in a school-based health center, a** person shall not dispense or otherwise distribute in a public school or on public school property a family planning drug or device. **As used in this subsection:**

(a) **"Health professional" means an individual licensed, registered, or otherwise authorized to engage in a health profession under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838, and who is acting within the individual's scope of practice.**

(b) **"School-based health center" means that term as defined in 42 USC 280h-5.**

(8) As used in this section, "family planning" means the use of a range of methods of fertility regulation to help individuals or couples avoid unplanned pregnancies; bring about wanted births; regulate the intervals between pregnancies; and plan the time at

1 which births occur in relation to the age of parents. It may  
2 include the study of fetology. It may include marital and genetic  
3 information. Clinical abortion shall not be considered a method of  
4 family planning, nor shall abortion be taught as a method of  
5 reproductive health.

6 (9) As used in this section and sections 1506 and 1507a:

7 (a) "Class" means an instructional period of limited duration  
8 within a course of instruction and includes an assembly or small  
9 group presentation.

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