AN ACT

Amending the Public School Code of March, 10th 1949 (P.L. 30, No.14), entitled an act “relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto.”

The General Assembly declare the purpose of this bill as follows:

(a) Help students understand abstinence from sexual activity is the only way to be 100% safe from sexually transmitted infections, including HIV, and unintended pregnancy but that sexuality is a healthy part of growth and development.

(b) Teach students efficient and alternate ways to protect their health from common sexually transmitted diseases/infections, HIV, and to prevent unintended pregnancy from occurring.

(c) Ensure the integrity of Pennsylvania sex education programs by mandating consistency, medical accuracy, and unbiased instruction.

(d) Help adolescents develop an understanding of healthy, positive, and safe relationships.

(e) Provide age-appropriate tools and instruction for students to understand body growth, development, body image, gender, sexual orientation, relationships and family.

(f) Ensure students understand consequences of sexual misconduct and the negative effect on a person, victim, survivor, or community.

(g) Ensure students of differing backgrounds, including but not limited to, race, religion, sexual orientation, gender identity, and ability, receive comprehensive, inclusive, age appropriate and medically accurate sex education.

(h) Adjust educational techniques to account for research that has shown comprehensive sex education programs help delay the initiation of sex, lessen the frequency of unsafe sexual contact, reduce the number of sexual partners and
increase the use of FDA approved contraception among sexually active partners therefore reducing the number of sexually transmitted infections, unintended pregnancy, HIV transmission, and unsafe sexual practices in the long term.

SECTION 1. The Public School Code of March, 10th 1949 (P.L. 30, No.14) is amended by adding the following section:

SECTION 1512.2. Pennsylvania Healthy Youth Act. A school district required to comply with 22. Pa. Code § 4.29 (relating to HIV/AIDS and other life-threatening and communicable diseases) shall also be required to provide students with comprehensive sex education that meets criteria as follows in section 1512.2:

1. All instruction shall align with the purpose and findings of this bill and may not be in conflict with them.
2. All materials, including but not limited to supplements and textbooks, must be age appropriate.
3. All teaching must be done by instructors trained in appropriate courses and must receive continuing education.
4. All information presented by instructors must be medically accurate, unbiased, and objective.
5. All materials shall be appropriate for students of all races, sexual orientation, genders, and ethnic and cultural backgrounds, and students with disabilities, and teaching shall be representative of these identities.
   a. All materials shall recognize that there are different sexual orientations and when discussing relationships, examples must be inclusive of same sex relationships.
6. Teachings shall include or address the following information:
   a. Abstinence from sexual activity and injection drug use is the only way to guarantee safety from STD’s, HIV/AIDS, and prevent pregnancy.
(b) Address healthy adolescent growth and development, including healthy relationships and the social pressures associated with sexual behavior.

(c) How to properly use various FDA approved contraceptive methods including, but not limited to, condoms, female condoms, IUD’s, and emergency contraceptive methods and their effectiveness, health benefits, and side effects.

(d) Discussion on the social views of HIV/AIDS’s including the myths and negative stereotyping of those living with HIV/AIDS. Instructors shall mention prevention medicine such as “PREP” as an option for HIV prevention. Discussion shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy.

(e) Discussion on local community recourse such as health clinics, sexual misconduct and assault counseling, and STD testing centers. This shall include discussion on a student's legal right to access these local resources for sexual and reproductive health care.

(f) Instruction on all legally available pregnancy outcomes including parenting, adoption, and abortion.

(g) Education on sexually transmitted diseases, how they are transmitted, their side effects and treatment options. A focus shall be given to STD’s on the rise statewide and locally to be decided by the Pennsylvania Department of Health.

(h) Provide an understanding of the Pennsylvania age of consent and legal restrictions on consent. Discuss consent as an affirmative, verbal yes that is necessary to engage in all sexual contact.

(i) Discussion on how rape and sexual assault affects survivors and the legal repercussions of such acts.

(7) Materials shall be appropriate for use with, and shall not promote a bias towards or against, all different sexual orientations, gender identities, cultural backgrounds, and students with disability.
(8) All materials shall be available and accessible to parents and community members upon request and a student shall be excused from all instruction or specified lessons if the student’s parent or guardian provides written consent to the school.

(9) The Department of Education, in consultation with The Department of Health, shall develop and maintain a sexual health curriculum that is consistent with the requirements of this act.

   (a) The curriculum shall be reviewed and updated every two years.
   (b) School’s shall be notified of all updates.

(10) No funds from the Commonwealth of Pennsylvania shall go against the provisions and requirements in this act.

(11) The following words and phrases have been given the definitions for the use in this act:

   (a) “Age appropriate” refers to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

   (b) “Continuing education” shall be defined and implemented by individual school districts.

   (c) “Instructors trained in appropriate courses” means instructors with knowledge of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections.

   (d) “Medically Accurate” shall mean information supported by peer-reviewed research conducted in compliance with accepted scientific methods and recognized as accurate by a majority of leading professional organizations and agencies with relevant experience, including the American Medical Association and the Department of Health.
(e) “Sexual misconduct” shall refer to any sexual activity linked to criminal activity and is not in accordance with local and federal laws. This includes, but is not limited to, sexual harassment and rape.

SECTION 2. Section 1512.2 shall go into effect at the beginning of the next full school year after the effective date of this act and shall remain in effect all subsequent school years.

SECTION 3. This act shall go into effect in 91 days.