ENGROSSED SUBSTITUTE SENATE BILL 5297

Chapter 265, Laws of 2007

60th Legislature
2007 Regular Session

SEXUAL HEALTH EDUCATION

EFFECTIVE DATE: 07/22/07

Passed by the Senate March 7, 2007
YEAS 30  NAYS 19

BRAD OWEN
President of the Senate

Passed by the House April 11, 2007
YEAS 63  NAYS 34

FRANK CHOPP
Speaker of the House of Representatives

Approved May 2, 2007, 10:48 a.m.

CERTIFICATE
I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is ENGROSSED SUBSTITUTE SENATE BILL 5297 as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN
Secretary

FILED
May 3, 2007

CHRISTINE GREGOIRE
Governor of the State of Washington

Secretary of State
State of Washington
AN ACT Relating to providing medically and scientifically accurate sexual health education in schools; adding a new section to chapter 28A.300 RCW; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. (1) The legislature finds that young people should have the knowledge and skills necessary to build healthy relationships, and to protect themselves from unintended pregnancy and sexually transmitted diseases, including HIV infection. The primary responsibility for sexual health education is with parents and guardians. However, this responsibility also extends to schools and other community groups. It is in the public's best interest to ensure that young people are equipped with medically and scientifically accurate, age-appropriate information that will help them avoid unintended pregnancies, remain free of sexually transmitted diseases, and make informed, responsible decisions throughout their lives.

(2) The legislature intends to support and advance the standards established in the January 2005 guidelines for sexual health information and disease prevention developed by the office of the superintendent of public instruction and the department of health.
These guidelines are a fundamental tool to help school districts, teachers, guest speakers, health and counseling providers, community groups, parents, and guardians choose, develop, and evaluate sexual health curricula to better meet the health and safety needs of adolescents and young adults in their communities.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.300 RCW to read as follows:

(1) By September 1, 2008, every public school that offers sexual health education must assure that sexual health education is medically and scientifically accurate, age-appropriate, appropriate for students regardless of gender, race, disability status, or sexual orientation, and includes information about abstinence and other methods of preventing unintended pregnancy and sexually transmitted diseases. All sexual health information, instruction, and materials must be medically and scientifically accurate. Abstinence may not be taught to the exclusion of other materials and instruction on contraceptives and disease prevention. A school may choose to use separate, outside speakers or prepared curriculum to teach different content areas or units within the comprehensive sexual health program as long as all speakers, curriculum, and materials used are in compliance with this section. Sexual health education must be consistent with the January 2005 guidelines for sexual health information and disease prevention developed by the department of health and the office of the superintendent of public instruction.

(2) As used in this act, "medically and scientifically accurate" means information that is verified or supported by research in compliance with scientific methods, is published in peer-review journals, where appropriate, and is recognized as accurate and objective by professional organizations and agencies with expertise in the field of sexual health including but not limited to the American college of obstetricians and gynecologists, the Washington state department of health, and the federal centers for disease control and prevention.

(3) The superintendent of public instruction and the department of health shall make the January 2005 guidelines for sexual health information and disease prevention available to school districts, teachers, and guest speakers on their web sites. Within available
resources, the superintendent of public instruction and the department of health shall make any related information, model policies, curricula, or other resources available as well.

(4) The superintendent of public instruction, in consultation with the department of health, shall develop a list of sexual health education curricula that are consistent with the 2005 guidelines for sexual health information and disease prevention. This list shall be intended to serve as a resource for schools, teachers, or any other organization or community group, and shall be updated no less frequently than annually and made available on the web sites of the office of the superintendent of public instruction and the department of health.

(5) Public schools that offer sexual health education are encouraged to review their sexual health curricula and choose a curriculum from the list developed under subsection (4) of this section. Any public school that offers sexual health education may identify, choose, or develop any other curriculum, if the curriculum chosen or developed complies with the requirements of this section.

(6) Any parent or legal guardian who wishes to have his or her child excused from any planned instruction in sexual health education may do so upon filing a written request with the school district board of directors or its designee, or the principal of the school his or her child attends, or the principal's designee. In addition, any parent or legal guardian may review the sexual health education curriculum offered in his or her child's school by filing a written request with the school district board of directors, the principal of the school his or her child attends, or the principal's designee.

(7) The office of the superintendent of public instruction shall, through its Washington state school health profiles survey or other existing reporting mechanism, ask public schools to identify any curricula used to provide sexual health education, and shall report the results of this inquiry to the legislature on a biennial basis, beginning with the 2008-09 school year.

(8) The requirement to report harassment, intimidation, or bullying under RCW 28A.600.480(2) applies to this section.
NEW SECTION. Sec. 3. This act may be known and cited as the healthy youth act.

Passed by the Senate March 7, 2007.
Passed by the House April 11, 2007.
Approved by the Governor May 2, 2007.
Filed in Office of Secretary of State May 3, 2007.