

---

**ENGROSSED SUBSTITUTE SENATE BILL 5297**

---

**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Haugen, Tom, Prentice, Keiser, Pridemore, Murray, Regala, Fraser, Kilmer, Rockefeller, McAuliffe, Shin, Weinstein, Kline, Marr, Kohl-Welles and Oemig)

READ FIRST TIME 02/28/07.

1       AN ACT Relating to providing medically and scientifically accurate  
2 sexual health education in schools; adding a new section to chapter  
3 28A.300 RCW; and creating new sections.

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

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

16       (2) The legislature intends to support and advance the standards  
17 established in the January 2005 guidelines for sexual health  
18 information and disease prevention developed by the office of the  
19 superintendent of public instruction and the department of health.

1 These guidelines are a fundamental tool to help school districts,  
2 teachers, guest speakers, health and counseling providers, community  
3 groups, parents, and guardians choose, develop, and evaluate sexual  
4 health curricula to better meet the health and safety needs of  
5 adolescents and young adults in their communities.

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

8 (1) By September 1, 2008, every public school that offers sexual  
9 health education must assure that sexual health education is medically  
10 and scientifically accurate, age-appropriate, appropriate for students  
11 regardless of gender, race, disability status, or sexual orientation,  
12 and includes information about abstinence and other methods of  
13 preventing unintended pregnancy and sexually transmitted diseases. All  
14 sexual health information, instruction, and materials must be medically  
15 and scientifically accurate. Abstinence may not be taught to the  
16 exclusion of other materials and instruction on contraceptives and  
17 disease prevention. A school may choose to use separate, outside  
18 speakers or prepared curriculum to teach different content areas or  
19 units within the comprehensive sexual health program as long as all  
20 speakers, curriculum, and materials used are in compliance with this  
21 section. Sexual health education must be consistent with the January  
22 2005 guidelines for sexual health information and disease prevention  
23 developed by the department of health and the office of the  
24 superintendent of public instruction.

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

34 (3) The superintendent of public instruction and the department of  
35 health shall make the January 2005 guidelines for sexual health  
36 information and disease prevention available to school districts,  
37 teachers, and guest speakers on their web sites. Within available

1 resources, the superintendent of public instruction and the department  
2 of health shall make any related information, model policies,  
3 curricula, or other resources available as well.

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

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

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

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

34 (8) The requirement to report harassment, intimidation, or bullying  
35 under RCW 28A.600.480(2) applies to this section.

1        NEW SECTION. **Sec. 3.** This act may be known and cited as the  
2 healthy youth act.

--- END ---