

REFERENCE TITLE: sex education; comprehensive; medically accurate

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

HB 2251

Introduced by
Representatives Powers Hannley: Andrade, Butler, Hernandez M, Salman,
Stahl Hamilton, Terán, Senator Engel

AN ACT

AMENDING SECTIONS 15-102 AND 15-711, ARIZONA REVISED STATUTES; RELATING TO
SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-102, Arizona Revised Statutes, is amended to
3 read:
4 15-102. Parental involvement in the school; definition
5 A. The governing board, in consultation with parents, teachers and
6 administrators, shall develop and adopt a policy to promote the
7 involvement of parents and guardians of children enrolled in the schools
8 within the school district, including:
9 1. A plan for parent participation in the schools that is designed
10 to improve parent and teacher cooperation in such areas as homework,
11 attendance and discipline. The plan shall provide for the administration
12 of a parent-teacher satisfaction survey.
13 2. Procedures by which parents may learn about the course of study
14 for their children and review learning materials, including the source of
15 any supplemental educational materials.
16 3. Procedures by which parents who object to any learning material
17 or activity on the basis that it is harmful may withdraw their children
18 from the activity or from the class or program in which the material is
19 used. Objection to a learning material or activity on the basis that it is
20 harmful includes objection to a material or activity because it questions
21 beliefs or practices in sex, morality or religion.
22 4. If a school district offers any sex education curricula pursuant
23 to section 15-711 or 15-716 or pursuant to any rules adopted by the state
24 board of education, procedures to prohibit ~~a~~ THE school district from
25 providing sex education instruction to a pupil ~~unless~~ IF the pupil's
26 parent ~~provides written permission for the child to participate in~~ OPTS
27 OUT OF the sex education curricula.
28 5. Procedures by which parents will be notified in advance of and
29 given the opportunity to withdraw their children from any instruction or
30 presentations regarding sexuality in courses other than formal sex
31 education curricula.
32 6. Procedures by which parents may learn about the nature and
33 purpose of clubs and activities that are part of the school curriculum,
34 extracurricular clubs and activities that have been approved by the
35 school.
36 7. Procedures by which parents may learn about parental rights and
37 responsibilities under the laws of this state, including the following:
38 (a) The right to opt ~~in to~~ OUT OF a sex education curriculum ~~if one~~
39 ~~is provided by the school district~~ AS PROVIDED IN SECTION 15-711.
40 (b) Open enrollment rights pursuant to section 15-816.01.
41 (c) The right to opt out of assignments pursuant to this section.
42 (d) The right to opt out of immunizations pursuant to section
43 15-873.
44 (e) The promotion requirements prescribed in section 15-701.

- 1 (f) The minimum course of study and competency requirements for
2 graduation from high school prescribed in section 15-701.01.
- 3 (g) The right to opt out of instruction on the acquired immune
4 deficiency syndrome pursuant to section 15-716.
- 5 (h) The right to review test results pursuant to section 15-743.
- 6 (i) The right to participate in gifted programs pursuant to section
7 15-779.01.
- 8 (j) The right to access instructional materials pursuant to section
9 15-730.
- 10 (k) The right to receive a school report card pursuant to section
11 15-746.
- 12 (l) The attendance requirements prescribed in sections 15-802,
13 15-803 and 15-821.
- 14 (m) The right to public review of courses of study and textbooks
15 pursuant to sections 15-721 and 15-722.
- 16 (n) The right to be excused from school attendance for religious
17 purposes pursuant to section 15-806.
- 18 (o) Policies related to parental involvement pursuant to this
19 section.
- 20 (p) The right to seek membership on school councils pursuant to
21 section 15-351.
- 22 (q) Information about the student accountability information system
23 as prescribed in section 15-1041.
- 24 (r) The right to access the failing schools tutoring fund pursuant
25 to section 15-241.
- 26 B. The policy adopted by the governing board pursuant to this
27 section may also include the following components:
- 28 1. A plan by which parents will be made aware of the district's
29 parental involvement policy and this section, including:
- 30 (a) Rights under the family educational rights and privacy act of
31 1974 (20 United States Code section 1232g) relating to access to
32 children's official records.
- 33 (b) The parent's right to inspect the school district policies and
34 curriculum.
- 35 2. Efforts to encourage the development of parenting skills.
- 36 3. ~~The communication~~ COMMUNICATING to parents ~~of~~ techniques THAT
37 ARE designed to assist the child's learning experience in the home.
- 38 4. Efforts to encourage access to community and support services
39 for children and families.
- 40 5. ~~The promotion of~~ PROMOTING communication between the school and
41 parents concerning school programs and the academic progress of the
42 parents' children.
- 43 6. Identifying opportunities for parents to participate in and
44 support classroom instruction at the school.

1 7. Efforts to support, with appropriate training, parents as shared
2 decision-makers and to encourage membership on school councils.

3 8. ~~The recognition of~~ RECOGNIZING the diversity of parents and ~~the~~
4 ~~development of~~ DEVELOPING guidelines that promote widespread parental
5 participation and involvement in the school at various levels.

6 9. ~~The development of~~ DEVELOPING preparation programs and
7 specialized courses for certificated employees and administrators that
8 promote parental involvement.

9 10. ~~The development of~~ DEVELOPING strategies and programmatic
10 structures at schools to encourage and enable parents to participate
11 actively in their children's education.

12 C. The governing board may adopt a policy to provide to parents the
13 information required by this section in an electronic form.

14 D. A parent shall submit a written request for information pursuant
15 to this section during regular business hours to either the school
16 principal at the school site or the superintendent of the school district
17 at the office of the school district. Within ten days after receiving the
18 request for information, the school principal or the superintendent of the
19 school district shall either deliver the requested information to the
20 parent or submit to the parent a written explanation of the reasons for
21 ~~the denial of~~ DENYING the requested information. If the request for
22 information is denied or the parent does not receive the requested
23 information within fifteen days after submitting the request for
24 information, the parent may submit a written request for the information
25 to the school district governing board, which shall formally consider the
26 request at the next scheduled public meeting of the governing board if the
27 request can be properly noticed on the agenda. If the request cannot be
28 properly noticed on the agenda, the governing board shall formally
29 consider the request at the next subsequent public meeting of the
30 governing board.

31 E. For the purposes of this section, "parent" means the natural or
32 adoptive parent or legal guardian of a minor child.

33 Sec. 2. Section 15-711, Arizona Revised Statutes, is amended to
34 read:

35 15-711. Sex education curricula; sexual conduct with a minor;
36 department assistance; opt out; definitions

37 A. All school districts ~~with existing sex education curricula~~
38 shall:

39 1. PROVIDE SEX EDUCATION THAT IS MEDICALLY ACCURATE AND
40 COMPREHENSIVE.

41 2. Include instruction on the laws relating to sexual conduct with
42 a minor for pupils in grades seven, eight, nine, ten, eleven and twelve.
43 Each school district may develop its own course of study to meet the
44 requirements of this ~~section~~ PARAGRAPH.

- 1 B. AT THE REQUEST OF A SCHOOL DISTRICT, THE DEPARTMENT OF EDUCATION
2 SHALL PROVIDE ASSISTANCE, INCLUDING:
3 1. A SUGGESTED COURSE OF STUDY.
4 2. TEACHER TRAINING.
- 5 C. AT THE REQUEST OF A PUPIL'S PARENT, A SCHOOL DISTRICT SHALL
6 EXCUSE THE PUPIL FROM THE INSTRUCTION ON SEX EDUCATION AS PRESCRIBED IN
7 SUBSECTION A OF THIS SECTION. THE SCHOOL DISTRICT SHALL NOTIFY EACH
8 PARENT OF THE ABILITY TO WITHDRAW THE PUPIL FROM THE INSTRUCTION.
- 9 D. FOR THE PURPOSES OF THIS SECTION:
10 1. "COMPREHENSIVE" MEANS EVIDENCE-BASED PROGRAMS THAT BEGIN IN
11 MIDDLE SCHOOL OR JUNIOR HIGH SCHOOL GRADES AND CONTINUE THROUGH GRADE
12 TWELVE AND THAT PROVIDE PUPILS WITH OPPORTUNITIES FOR LEARNING
13 AGE-APPROPRIATE, MEDICALLY ACCURATE INFORMATION RELATED TO HUMAN
14 DEVELOPMENT, HEALTHY RELATIONSHIPS, DECISION-MAKING, ABSTINENCE,
15 CONTRACEPTION AND DISEASE PREVENTION.
16 2. "MEDICALLY ACCURATE" MEANS INFORMATION THAT IS ALL OF THE
17 FOLLOWING:
18 (a) VERIFIED OR SUPPORTED BY THE WEIGHT OF PEER-REVIEWED RESEARCH
19 CONDUCTED IN COMPLIANCE WITH ACCEPTED SCIENTIFIC METHODS.
20 (b) RECOGNIZED AS ACCURATE AND OBJECTIVE BY LEADING PROFESSIONAL
21 ORGANIZATIONS AND AGENCIES WITH RELEVANT EXPERTISE IN THE FIELD.
22 (c) PUBLISHED IN PEER-REVIEWED JOURNALS, IF APPROPRIATE.