

**IHAMB ©
FAMILY LIFE EDUCATION**

Instruction in Sex Education

Instruction in sex education may be offered in the District in conformity with the requirements of Arizona law.

The school shall obtain signed, written consent from a student's parent or guardian before doing either of the following:

- A. Using video, audio or electronic materials that may be inappropriate for the age of the student.
- B. Providing sex education instruction to the student. At the same time the public educational institution seeks consent, it shall inform the student's parent or guardian of the parent's or guardian's right to review the instructional materials and activities.

School districts and charter schools may not provide sex education instruction before grade five (5).

Before a parent provides written permission for the parent's child to participate in any sex education curricula, the school district or charter school shall make the sex education curricula available for the parent's review online and in person pursuant to A.R.S. 15-102(A)(2). The school district or charter school shall notify parents where the sex education curricula are available for review at least two (2) weeks before any instruction is offered pursuant to A.R.S. 15-711.

A school districts or charter school with existing sex education curricula shall include instruction on the laws relating to sexual conduct with a minor for pupils in grades seven (7) through twelve (12).

Each school district or charter school may develop its own sex education course of study or adopt an existing sex education course of study.

Before a school district or charter school offers sex education instruction, the school district governing board or charter school governing body shall review and approve the sex education course of study that is developed, adopted, revised, or updated.

The governing board or governing body:

- A. Shall provide parents with a meaningful opportunity to participate in, review and provide input on any proposed sex education course of study before it is adopted.
- B. May not approve a course of study unless it complies with A.R.S. 15-711.

Before approving any sex education course of study developed, adopted, revised, or updated pursuant to A.R.S. 15-711, the school district governing board or charter school governing body shall do all of the following:

- A. Require that all meetings of committees that are authorized for the purposes of reviewing and selecting the sex education course of study be publicly noticed at least two (2) weeks before occurring and be open to the public pursuant to Title 38, Chapter 3, Article 3.1.

B. Make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the governing board or governing body decides whether to approve that course of study.

C. Conduct at least two (2) public hearings within the sixty (60)-day period before the governing board or governing body decides whether to approve any course of study.

Public comment may include written comments, oral comments and comments submitted through e-mail.

A school district or charter school is not required to provide sex education instruction to pupils.

If a school district or charter school decides to provide sex education instruction after school hours, A.R.S. [15-711](#) and A.R.S. [15-102](#) apply.

Statute does not prohibit age and grade appropriate classroom instruction regarding child assault awareness and abuse prevention.

Certification of Compliance

The District shall certify, under the notarized signatures of both the Governing Board President and the Superintendent, compliance with A.A.C. [R7-2-303](#). Acknowledgment of receipt of the compliance certification from the State Board of Education is required as a prerequisite to the initiation of instruction. Certification of compliance shall be in a format and with such particulars as shall be specified by the Department of Education.

Instruction on Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus

The District may provide instruction in kindergarten (K) through grade twelve (12) on acquired immune deficiency syndrome and the human immunodeficiency virus as authorized by Arizona law.

If instruction is to be offered at one (1) or more grade levels, the Superintendent shall develop and implement regulations on such instruction that conform to Arizona law.

Promotion of Childbirth

The District shall not endorse or provide financial or instructional program support to any program that does not present childbirth and adoption as preferred options to elective abortion.

The District shall not allow any presentation during instructional time or furnish any materials to pupils as part of any instruction that does not give preference, encouragement and support to childbirth and adoption as preferred options to elective abortion.

Adopted: September 08, 2021

LEGAL REF.:

A.R.S.

[15-115](#)

[15-341](#)

[15-711](#)

[15-716](#)

A.A.C.

[R7-2-303](#)

IHAMB-R ©**REGULATION****FAMILY LIFE EDUCATION****Instruction in Sex Education**

Instruction in sex education may be offered in the District in conformity with the requirements of Arizona law. Nothing in this regulation shall be construed to require a school district or charter school provide sex education instruction to pupils.

The school shall obtain signed, written consent from a student's parent or guardian before doing either of the following:

- A. Using video, audio or electronic materials that may be inappropriate for the age of the student.
- B. Providing sex education instruction to the student. At the same time the public educational institution seeks consent, it shall inform the student's parent or guardian of the parent's or guardian's right to review the instructional materials and activities

School districts and charter schools may not provide sex education instruction before grade five (5).

Grades 5 - 8:

- A. *Elective lessons.* The District may provide a specific elective lesson or lessons concerning sex education as a supplement to the health course of study.
 1. Such supplement may be taken by the student only upon the written request of the student's parent or guardian.
 2. Alternative elective lessons from the state-adopted optional subjects shall be provided for students who do not enroll in elective sex education.
 3. Elective sex education lessons shall not exceed the equivalent of one (1) class period per day for one-quarter (1/4th) of the school year for grades five (5) through eight (8).
- B. *Governing Board approval.* All elective sex education lessons to be offered must have prior approval from the Governing Board.
 1. The Governing Board shall establish an advisory committee with membership representative of District size and the racial and ethnic composition of the community to assist in the development of lessons and advise the Board on an ongoing basis. All meetings of committees that are authorized for the purposes of reviewing and selecting the sex education course of study shall be publicly noticed at least two (2) weeks before occurring and be open to the public pursuant to Arizona Revised Statutes Title 38, Chapter 3, Article 3.1.
 2. The Governing Board shall review the total instructional materials and approve all lessons and curricula in the course of study to be offered in sex education.

3. The Governing Board shall make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the Board decides whether to approve that course of study. The Board shall publicize and hold at least two (2) public hearings within the sixty (60)-day period for the purpose of receiving public input at least one (1) week prior to the local governing board meeting at which the elective sex education lessons will be considered for approval. Public input may include written comments, oral comments and comments submitted electronically.

4. The Governing Board shall maintain for viewing by the public, both online and in-person pursuant to A.R.S. 15-102(A)(2), the total instructional materials to be used in approved elective sex education lessons within the school district or charter school at least two (2) weeks before any instruction is offered.

C. Format of instruction:

1. Lessons shall be taught to boys and girls separately.

2. Lessons shall be ungraded and shall require no homework; any evaluation administered for the purpose of self-analysis shall not be retained or recorded by the school or the teacher in any form.

3. Lessons shall not include tests, psychological inventories, surveys, or examinations containing any questions about personal beliefs or practices in sex, family life, morality, values, or religion on the part of students or their parents.

4. Lessons for grades seven (7) and eight (8) shall include instruction on the laws relating to sexual conduct with a minor.

Grades 9 - 12:

A. A course in sex education may be provided in the high schools of Arizona.

B. This course may only be taken by the student at the written request of the student's parent or guardian.

C. Alternative elective lessons from the state-adopted optional subjects shall be provided for students who do not enroll in elective sex education.

D. All meeting of committees that are authorized for the purposes of reviewing and selecting the sex education course of study shall be publicly noticed at least two (2) weeks before occurring and be open to the public pursuant to Arizona Revised Statutes Title 38, Chapter 3, Article 3.1.

E. The Governing Board shall review the total instructional materials and approve all lessons and curricula in the course of study to be offered in sex education.

F. The Governing Board shall make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the Board decides whether to approve that course of study. The Board shall publicize and hold at least two (2) public hearings within the sixty (60)-day period for the purpose of receiving public input at least one (1) week prior to the local governing board meeting at which the elective sex education lessons will be considered for approval. Public input may include written comments, oral comments and comments submitted electronically.

G. Lessons shall not include tests, psychological inventories, surveys, or examinations containing any questions about personal beliefs or practices in sex, family life, morality, values, or religion on the part of students or their parents.

H. The Governing Board shall maintain for viewing by the public, both online and in-person pursuant to A.R.S. 15-102(A)(2), the total instructional materials to be used in approved elective sex education lessons within the school district or charter school at least two (2) weeks before any instruction is offered.

Content of instruction (Grades 5 - 12):

A. All sex education materials and instruction shall be age appropriate, shall recognize the needs of exceptional students, shall meet the needs of the District, shall recognize local community standards and sensitivities, shall not include the teaching of abnormal, deviate, or unusual sexual acts and practices, and shall include the following:

1. Emphasis upon the power of individuals to control their own personal behavior.
 - a. Students shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations such as respect for self and others.
2. Instruction on how to say "no" to unwanted sexual advances and to resist negative peer pressure.
 - a. Students shall be taught that it is wrong to take advantage of, or to exploit, another person.
3. Instruction on the laws relating to sexual conduct with a minor.

B. All sex education materials and instruction that discuss sexual intercourse shall:

1. Stress that students should abstain from sexual intercourse until they are mature adults.
2. Emphasize that abstinence from sexual intercourse is the only method for avoiding pregnancy that is one hundred percent (100%) effective.
3. Stress that sexually transmitted diseases have severe consequences and constitute a serious and widespread public health problem.
4. Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual intercourse and the consequences of preadolescent and adolescent pregnancy.
5. Advise students of Arizona law pertaining to the financial responsibilities of parenting, and legal liabilities related to sexual intercourse with a minor.

School districts and charter schools shall make any existing sex education course of study available and accessible for review both online and in person.

Instruction on Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus

The District will develop its own course of study for each grade. At a minimum, instruction shall:

- A. Be appropriate to the grade level in which it is offered.
- B. Be medically accurate.
- C. Promote abstinence.
- D. Discourage drug abuse.
- E. Dispel myths regarding transmission of the human immunodeficiency virus.

The District may request that the Department of Health Services, in conjunction with the Department of Education, review instruction materials to determine their medical accuracy.

The District may request that the Department of Education provide the following assistance:

- A. A suggested course of study.
- B. Teacher training.
- C. A list of available films and other teaching aids.

At the request of a parent, a student shall be excused from the instruction on acquired immune deficiency syndrome and the human immunodeficiency virus. The District shall notify all parents of their ability to withdraw their children from the instruction.