

Policy IGAEB: SEXUAL HEALTH INSTRUCTION

Status: DRAFT

Original Adopted Date: 06/19/2003 | Last Revised Date: 08/28/2019

2019C UPDATE EXPLANATION

House Bill 604 (2019) requires school districts to provide "trauma-informed, developmentally appropriate sexual abuse training to students in all grades not lower than sixth grade" beginning in the 2020–2021 school year. MSBA has added this requirement to this policy. This instruction—unlike human sexuality instruction—is not optional, but it is up to the district to determine how to incorporate it into the curriculum.

Parents/Guardians must be notified of the content of the instruction and given an opportunity to opt their student out of the instruction upon written request. Because similar notice is required for human sexuality instruction, MSBA has combined the district's obligations under the subheading "Notice and Opt-Out."

The Department of Elementary and Secondary Education is required to provide districts with guidance and training materials that can be used to comply with this new law.

The board of education recognizes that parents/guardians are should be the primary source of sexuality education for their children. The board also recognizes that effective sexuality education, taught in concert with parents/guardians, helps students avoid risks to their health and academic success and prepares them to make informed decisions as adults.

The district will offer instruction in human sexuality and will provide instruction regarding sexual abuse as required by law. All instruction will be appropriate to the age of the students receiving the instruction, and students may be separated by gender for the instruction.

Notice and Opt-Out

Therefore, in accordance with law, the district will notify the parents/guardians of each student enrolled in the district of the basic content of the district's human sexuality and sexual abuse instruction that will be provided to their student. The district will also notify parents/guardians of their right to remove their student from any part of the district's human sexuality instruction on these topics upon written request. The district will make all curriculum materials used in the district's human sexuality and sexual abuse instruction available for public inspection as a public record prior to the use of such materials in actual instruction.

Instruction in human sexuality must be appropriate to the age of the students receiving such instruction. Students may be separated by gender for human sexuality instruction.

Human Sexuality and Sexually Transmitted Diseases

As required by state law, any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

1. Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried students because it is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity. Students shall be advised that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy.
2. Stress that sexually transmitted diseases are serious, possible health hazards of sexual activity. Students shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), human papillomavirus (HPV), hepatitis and other sexually transmitted diseases.
3. Present students with information on contraceptives and pregnancy in a manner consistent with the provisions of federal abstinence education law.
4. Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption

plan.

5. Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role playing at appropriate grade levels to emphasize that the student has the power to control personal behavior. Students shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control and ethical considerations, such as respect for one's self and others. Students shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Students shall be taught to resist unwanted sexual advances and other negative peer pressure.

6. Teach students about consent, sexual harassment and sexual violence. Specifically, students will be taught that:

A. *Consent* is a freely given agreement to the conduct at issue by a competent person, and that:

- An expression of lack of consent through words or conduct does not constitute consent.
- Lack of verbal or physical resistance does not constitute consent.
- Submission resulting from the use of force, threat of force or fear does not constitute consent.
- A current or previous dating, social or sexual relationship between two parties does not by itself constitute consent.
- The manner of dress chosen by a person does not constitute consent.

B. *Sexual harassment* is uninvited and unwelcome verbal or physical behavior of a sexual nature, especially by a person in authority toward a subordinate.

C. *Sexual violence* is causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress or without the person's consent.

7. Advise students of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise students of the provisions of Missouri law pertaining to statutory rape and statutory sodomy.

8. Teach students about the characteristics of and ways to identify sexual predators.

9. Teach students safe and responsible Internet use, including the dangers of online sexual predators, when using electronic communication methods such as the Internet, mobile phones, text messages, chat rooms, social media, e-mail and instant messaging.

10. Instill in students the importance of having open communication with responsible adults, reporting any inappropriate situation, activity or abuse to a responsible adult and, depending on intent and content, to local law enforcement, the Federal Bureau of Investigation (FBI) or the National Center for Missing and Exploited Children's "CyberTipline."

11. Explain the potential consequences, both personal and legal, of inappropriate text messaging and sexting, even among friends.

The district will not permit a person or entity to offer, sponsor or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if the person or entity is a provider of abortion services. No district personnel or agents, acting in their official capacities, will encourage any student to have an abortion.

Sexual Abuse

In accordance with law, the district will provide trauma-informed, developmentally appropriate training to students in grades 6–12 regarding sexual abuse including, but not limited to, instruction on:

1. How to recognize sexual abuse;
2. How to report an incident of sexual abuse;

3. How to obtain assistance and intervention; and
4. Resources for students affected by sexual abuse.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
§167.171, RSMo	State Statute - https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==
§170.015, RSMo	State Statute - https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==
§170.045, RSMo	State Statute - https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==
§566.032, RSMo.	State Statute - https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==
§566.034, RSMo.	State Statute - https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==
§566.062, RSMo.	State Statute - https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==
§566.064, RSMo.	State Statute - https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==

Federal References

	Description
42 U.S.C. § 710	Federal Statute - https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==

Cross References

	Description
AC	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - https://simbli.eboardsolutions.com/SU/PGBz6kueFRQYz3BCDNN3tQ==
EHB	TECHNOLOGY USAGE - https://simbli.eboardsolutions.com/SU/4DVOL67g61bc2fZYei4JiQ==
EHB-AP(1)	TECHNOLOGY USAGE - (Technology Safety) - https://simbli.eboardsolutions.com/SU/rX2G9rKtAzsv18d6uQeduw==
EHB-AP(2)	TECHNOLOGY USAGE - (Access to Blocked or Filtered Content) - https://simbli.eboardsolutions.com/SU/HwzqRXsopSw1VfBBR3qUYw==
JHG	REPORTING AND INVESTIGATING CHILD ABUSE AND NEGLECT - https://simbli.eboardsolutions.com/SU/MSZf8iEQ3wQBmbnYcCe1ag==
KB	PUBLIC INFORMATION PROGRAM - https://simbli.eboardsolutions.com/SU/nUYILUv8ulaP4xMfKDFx2g==
KB-AP(1)	PUBLIC INFORMATION PROGRAM - https://simbli.eboardsolutions.com/SU/3uzLplusgRQplusUBpJpvYJMHfbQ==