

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 192

Introduced by Council, 11.

Read first time January 07, 2011

Committee: Education

A BILL

1 FOR AN ACT relating to schools; to define terms; to require
2 instruction in sexual health education; to provide
3 curriculum requirements; and to provide for rules and
4 regulations.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. For purposes of sections 1 to 5 of this act:

2 (1) Age appropriate means suitable to particular ages or
3 groups of students, based on developing cognitive, emotional, and
4 behavioral capacity typical for the age or age group; and

5 (2) Medically accurate means supported by peer-reviewed
6 research conducted in compliance with accepted scientific methods and
7 recognized as accurate by professional organizations and governmental
8 agencies with relevant experience, including the American Medical
9 Association, the Department of Health and Human Services, and the
10 Centers for Disease Control and Prevention of the United States
11 Department of Health and Human Services.

12 Sec. 2. Beginning with school year 2012-13 and for each
13 school year thereafter, each school district required to comply with
14 rules and regulations of the State Board of Education for the
15 accreditation of schools shall offer instruction in sexual health
16 education pursuant to a curriculum which meets all the following
17 criteria:

18 (1) Instruction and materials shall be age appropriate;

19 (2) All information presented shall be medically
20 accurate;

21 (3) The curriculum shall include, but not be limited to,
22 the following information:

23 (a) The benefits of and reasons for not engaging in
24 sexual intercourse, including, but not limited to, the information
25 that not engaging in sexual intercourse is the only certain way to

1 prevent pregnancy and to reduce the risk of sexually transmitted
2 infections, including, but not limited to, human papilloma virus,
3 human immunodeficiency virus, and acquired immunodeficiency syndrome;
4 and

5 (b) The negative effects of alcohol and drug use on
6 responsible decisionmaking;

7 (4) The curriculum shall provide students with
8 information that includes, but is not limited to, the following:

9 (a) Side effects, health benefits, effectiveness, safety,
10 and proper use of all contraceptive methods approved by the federal
11 Food and Drug Administration of the United States Department of
12 Health and Human Services; and

13 (b) Information relating to sexually transmitted
14 infections, including, but not limited to, the means by which such
15 infections are and are not transmitted and the effectiveness of all
16 methods approved by the federal Food and Drug Administration for
17 reducing the risk of contracting or transmitting sexually transmitted
18 infections;

19 (5) The curriculum shall provide information relating to
20 healthy relationships and social pressures related to sexual
21 behavior;

22 (6) The curriculum shall provide information relating to
23 sexual activity as it relates to risk for sexually transmitted
24 infections and pregnancy;

25 (7) The curriculum shall encourage youth to communicate

1 with parents or guardians and other trusted adults about sexuality;

2 (8) Instructors may answer in good faith any questions
3 initiated by a student that is germane to the material of the course;
4 and

5 (9) Instruction and materials shall be appropriate for
6 use with, and shall not promote bias against, students of any race,
7 gender, sexual orientation, ethnic or cultural background, and gender
8 identity, sexually active students, and students with disabilities.

9 Sec. 3. (1) A student shall be excused from any part of
10 the instruction required pursuant to section 2 of this act if the
11 student's parent or guardian provides a written request to the
12 school.

13 (2) Curricula required by section 2 of this act shall be
14 available for viewing upon the request of a student's parent or
15 guardian.

16 Sec. 4. The State Department of Education, in
17 consultation with the Department of Health and Human Services, shall
18 develop and maintain a list of sexual health education curricula that
19 are consistent with the requirements of sections 1 to 5 of this act.
20 The list shall be updated at least annually and made available on the
21 State Department of Education web site. The State Department of
22 Education shall adopt and promulgate rules and regulations to carry
23 out sections 1 to 5 of this act.

24 Sec. 5. No funds appropriated to carry out sections 1 to
25 5 of this act shall be used in contravention of the requirements of

1 such sections.