

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 619**

Introduced by Haar, 21.

Read first time January 23, 2013

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 an age or age group; and

5           (2) Medically accurate means verified as supported by  
6 research conducted in compliance with scientific methods and  
7 recognized as accurate and objective by professional organizations  
8 and governmental agencies with expertise in the field of sexual  
9 health, including the American Medical Association, the United States  
10 Department of Health and Human Services, and the Centers for Disease  
11 Control and Prevention of the United States Department of Health and  
12 Human Services.

13           Sec. 2. Beginning with school year 2014-15 and for each  
14 school year thereafter, each school district required to comply with  
15 rules and regulations of the State Board of Education for the  
16 accreditation of schools shall offer instruction in sexual health  
17 education pursuant to a curriculum which meets all the following  
18 criteria:

19           (1) Instruction and materials shall be age-appropriate;

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

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

24           (a) The benefits of and reasons for not engaging in  
25 shared sexual behaviors that carry risks for pregnancy or sexually

1 transmitted infections, including information that not engaging in  
2 such behaviors is the only certain way to prevent pregnancy and to  
3 reduce the risk of sexually transmitted infections, including, but  
4 not limited to, human papilloma virus, chlamydia, and the human  
5 immunodeficiency virus, the virus that causes acquired  
6 immunodeficiency syndrome (AIDS); and

7 (b) The negative effects of alcohol and drug use on  
8 decisionmaking;

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

11 (a) Side effects, health benefits, effectiveness and  
12 safety of abstinence and the consistent and correct use of all  
13 contraceptive methods approved by the federal Food and Drug  
14 Administration of the United States Department of Health and Human  
15 Services; and

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

22 (5) The curriculum shall provide information relating to  
23 healthy relationships;

24 (6) The curriculum shall provide information on peer and  
25 social pressure related to sexual behaviors and address methods of

1 avoiding such pressures;

2 (7) The curriculum shall provide information on  
3 recognizing and managing inappropriate and unwanted sexual advances  
4 and that it is wrong to take advantage of or exploit another person;

5 (8) The curriculum shall encourage youth to communicate  
6 with parents or guardians and other trusted adults about sexuality;

7 (9) Instructors may answer in good faith any question  
8 initiated by a student regarding the material of the course; and

9 (10) Instruction and materials shall be appropriate for  
10 use with, and shall not promote bias against, students based on race,  
11 ethnic or cultural background, sexual orientation, or gender or  
12 gender identity, sexually active students, and students with  
13 disabilities.

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

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

21 Sec. 4. The State Department of Education shall develop  
22 and maintain a list of sexual health education curricula that are  
23 consistent with the requirements of sections 1 to 3 of this act. The  
24 list shall be updated at least annually and made available on the  
25 department's web site. The department shall adopt and promulgate

1 rules and regulations to carry out sections 1 to 5 of this act.

2                   Sec. 5. No funds appropriated to carry out sections 1 to  
3 4 of this act shall be used in contravention of the requirements of  
4 such sections.