

**Health Education Amendments**  
2025 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Carol S. Moss**

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**LONG TITLE**

**General Description:**

This bill amends provisions related to health education.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires the State Board of Education to establish curriculum requirements that include

instruction in:

- sexual assault resource strategies;
- sexual violence behavior prevention; and
- the legal implications of electronically distributing sexually explicit images;
- amends provisions related to when a student receives health education instruction;
- requires a local education agency (LEA) to:
  - review data, including data on sexual assault, for each county in which the LEA is
- located;
- use the reviewed data to inform the LEA's policies on health education; and
- as appropriate, incorporate the data into health education; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**53G-10-402**, as last amended by Laws of Utah 2024, Chapters 20, 507

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53G-10-402** is amended to read:

**53G-10-402 . Instruction in health -- Parental consent requirements -- Conduct**

32 **and speech of school employees and volunteers -- Political and religious doctrine**  
33 **prohibited -- Conduct and speech of school employees and volunteers.**

34 (1) As used in this section:

35 (a) "Emotional manipulation" means seeking power over an individual through  
36 dishonest or exploitative strategies using emotion to influence behavior or ideas.

37 (b) "Grooming" means a pattern of behavior in which an individual engages using  
38 authority or influence, based on age or other factors, to normalize unwanted sexual  
39 advances or contact.

40 (c) "LEA governing board" means a local school board or charter school governing  
41 board.

42 [(b)] (d) "Refusal skills" means instruction:

43 (i) in a student's ability to clearly and expressly refuse sexual advances by a minor or  
44 adult;

45 (ii) in a student's obligation to stop the student's sexual advances if refused by another  
46 individual;

47 (iii) informing a student of the student's right to report and seek counseling for  
48 unwanted sexual advances;

49 (iv) in sexual harassment; and

50 (v) informing a student that a student may not consent to criminally prohibited  
51 activities or activities for which the student is legally prohibited from giving  
52 consent, including the electronic transmission of sexually explicit images by an  
53 individual of the individual or another.

54 (e) "Sexual assault resource strategies" means tools for addressing physical and  
55 psychological effects of sexual assault.

56 (f)(i) "Sexual coercion" means:

57 (A) the use of unreasonable pressure in an effort to compel an individual to initiate  
58 or continue sexual activity against the individual's will; or

59 (B) words or conduct that wrongfully impair another individual's freedom of will  
60 and ability to choose to refuse to engage in sexual activity.

61 (ii) "Sexual coercion" includes, for the purpose of encouraging an individual to  
62 engage in sexual activity:

63 (A) intimidation, manipulation, or blackmail;

64 (B) threats of emotional or physical harm;

65 (C) threatening to disclose the individual's private sexual information; and

- 66           (D) threats of self-harm.
- 67       (g) "Sexual violence behavior prevention education" means instruction that:
- 68           (i) leads to a student understanding:
- 69               (A) that the student has a right to refuse any kind of physical touch from another
- 70               individual;
- 71               (B) how to effectively communicate to others about the student's boundaries; and
- 72               (C) the student's responsibility to respect other individuals' boundaries;
- 73           (ii) is free from victim shaming;
- 74           (iii) provides information about the early signs of:
- 75               (A) sexual coercion;
- 76               (B) emotional manipulation; and
- 77               (C) grooming strategies; and
- 78           (iv) may include instruction in refusal skills.
- 79       (2)(a) The state board shall establish curriculum requirements under Section 53E-3-501
- 80       that include instruction in:
- 81           (i) community and personal health;
- 82           (ii) physiology;
- 83           (iii) personal hygiene;
- 84           (iv) prevention of communicable disease;
- 85           (v) refusal skills;[-and]
- 86           (vi) the harmful effects of pornography[-] ;
- 87           (vii) the legal implications of electronically distributing sexually explicit images of
- 88               an individual, including creating or distributing pornographic or sexually explicit
- 89               images of an individual using technology including artificial intelligence;
- 90           (viii) sexual assault resource strategies; and
- 91           (ix) sexual violence behavior prevention education.
- 92       (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 93       state board shall make rules that, and instruction shall:
- 94           (i) stress the importance of abstinence from all sexual activity before marriage and
- 95               fidelity after marriage as methods for preventing certain communicable diseases;
- 96           (ii) stress personal skills that encourage individual choice of abstinence and fidelity;
- 97           (iii) prohibit instruction in:
- 98               (A) the intricacies of intercourse, sexual stimulation, or erotic behavior;
- 99               (B) the advocacy of premarital or extramarital sexual activity; or

- 100 (C) the advocacy or encouragement of the use of contraceptive methods or  
101 devices; and
- 102 (iv) except as provided in Subsection (2)(d), allow instruction to include information  
103 about contraceptive methods or devices that stresses effectiveness, limitations,  
104 risks, and information on state law applicable to minors obtaining contraceptive  
105 methods or devices.
- 106 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
107 state board shall make rules for an LEA governing board that adopts instructional  
108 materials under Subsection (2)(g)(ii) that:
- 109 (i) require the LEA governing board to report on the materials selected and the LEA  
110 governing board's compliance with Subsection (2)(h); and
- 111 (ii) provide for an appeal and review process of the LEA governing board's adoption  
112 of instructional materials.
- 113 (d) The state board may not require an LEA to teach or adopt instructional materials that  
114 include information on contraceptive methods or devices.
- 115 (e)(i) At no time may instruction be provided, including responses to spontaneous  
116 questions raised by students, regarding any means or methods that facilitate or  
117 encourage the violation of any state or federal criminal law by a minor or an adult.
- 118 (ii) Subsection (2)(e)(i) does not preclude an instructor from responding to a  
119 spontaneous question as long as the response is consistent with the provisions of  
120 this section.
- 121 (f) The state board shall recommend instructional materials for use in the curricula  
122 required under Subsection (2)(a).
- 123 (g) An LEA governing board may choose to adopt:
- 124 (i) the instructional materials recommended under Subsection (2)(f); or
- 125 (ii) other instructional materials in accordance with Subsection (2)(h).
- 126 (h) An LEA governing board that adopts instructional materials under Subsection  
127 (2)(g)(ii) shall:
- 128 (i) ensure that the materials comply with state law and board rules;
- 129 (ii) base the adoption of the materials on the recommendations of the LEA governing  
130 board's Curriculum Materials Review Committee;
- 131 (iii) adopt the instructional materials in an open and regular meeting of the LEA  
132 governing board for which prior notice is given to parents of students who attend  
133 the respective schools; and

- 134 (iv) give parents an opportunity to express the parents' views and opinions on the  
135 materials at the meeting described in Subsection (2)(h)(iii).
- 136 (3)(a) A student shall receive age-appropriate instruction in the courses described in  
137 Subsection (2) on at least two occasions during the period that begins with the  
138 beginning of grade [8] 7 and [~~the end~~] ends with the end of grade 12.
- 139 (b) At the request of the state board, the Department of Health and Human Services shall  
140 cooperate with the state board in developing programs to provide instruction in those  
141 areas.
- 142 (4)(a) The state board shall adopt rules that:
- 143 (i) provide that the parental consent requirements of Sections 76-7-322 and 76-7-323  
144 are complied with; and
- 145 (ii) require a student's parent to be notified in advance and have an opportunity to  
146 review the information for which parental consent is required under Sections  
147 76-7-322 and 76-7-323.
- 148 (b) The state board shall also provide procedures for disciplinary action for violation of  
149 Section 76-7-322 or 76-7-323.
- 150 (5)(a) In keeping with the requirements of Section 53G-10-204, and because school  
151 employees and volunteers serve as examples to students, school employees or  
152 volunteers acting in an official capacity may not support or encourage criminal  
153 conduct by students, teachers, or volunteers.
- 154 (b) To ensure the effective performance of school personnel, the limitations described in  
155 Subsection (5)(a) also apply to a school employee or volunteer acting outside of the  
156 school employee's or volunteer's official capacity if:
- 157 (i) the employee or volunteer knew or should have known that the employee's or  
158 volunteer's action could result in a material and substantial interference or  
159 disruption in the normal activities of the school; and
- 160 (ii) that action does result in a material and substantial interference or disruption in  
161 the normal activities of the school.
- 162 (c) The state board or an LEA governing board may not allow training of school  
163 employees or volunteers that support or encourage criminal conduct.
- 164 (d) The state board shall adopt, in accordance with Title 63G, Chapter 3, Utah  
165 Administrative Rulemaking Act, rules implementing this section.
- 166 (e) Nothing in this section limits the ability or authority of the state board or an LEA  
167 governing board to enact and enforce rules or take actions that are otherwise lawful,

- 168 regarding an educator's, employee's, or volunteer's qualifications or behavior  
 169 evidencing unfitness for duty.
- 170 (6) Except as provided in Section 53G-10-202, political, atheistic, sectarian, religious, or  
 171 denominational doctrine may not be taught in the public schools.
- 172 (7)(a) An LEA governing board and an LEA governing board's employees shall  
 173 cooperate and share responsibility in carrying out the purposes of this chapter.
- 174 (b) An LEA governing board shall provide appropriate professional development for the  
 175 LEA governing board's teachers, counselors, and school administrators to enable the  
 176 teachers, counselors, and school administrators to understand, protect, and properly  
 177 instruct students in the values and character traits referred to in this section and  
 178 Sections 53E-9-202, 53E-9-203, 53G-10-202, 53G-10-203, 53G-10-204, and  
 179 53G-10-205, and distribute appropriate written materials on the values, character  
 180 traits, and conduct to each individual receiving the professional development.
- 181 (c) An LEA governing board shall make the written materials described in Subsection  
 182 (7)(b) available to classified employees, students, and students' parents.
- 183 (d) In order to assist an LEA governing board in providing the professional development  
 184 required under Subsection (7)(b), the state board shall, as appropriate, contract with a  
 185 qualified individual or entity possessing expertise in the areas referred to in  
 186 Subsection (7)(b) to develop and disseminate model teacher professional  
 187 development programs that an LEA governing board may use to train the individuals  
 188 referred to in Subsection (7)(b) to effectively teach the values and qualities of  
 189 character referenced in Subsection (7)(b).
- 190 (e) In accordance with the provisions of Subsection (5)(c), professional development  
 191 may not support or encourage criminal conduct.
- 192 (8)(a) An LEA governing board shall review every two years:
- 193 [~~(a)~~] (i) LEA governing board policies on instruction described in this section;  
 194 [~~(b)~~] (ii) for a local school board, data for each county that the school district is  
 195 located in, or, for a charter school governing board, data for the county in which  
 196 the charter school is located, on the following:
- 197 [~~(i)~~] (A) teen pregnancy;  
 198 [~~(ii)~~] (B) child sexual abuse; and  
 199 [~~(iii)~~] (C) sexually transmitted diseases and sexually transmitted infections; and  
 200 [~~(e)~~] (iii) the number of pornography complaints or other instances reported within the  
 201 jurisdiction of the LEA governing board.

- 202 (b) An LEA governing board shall:
- 203 (i) use the data reviewed under Subsection (8)(a)(ii) to inform the policies described
- 204 in Subsection (8)(a)(i); and
- 205 (ii) incorporate the data reviewed under Subsection (8)(a)(ii) into the instruction
- 206 described in this section as the LEA governing board determines is appropriate.
- 207 (9) If any one or more provision, subsection, sentence, clause, phrase, or word of this
- 208 section, or the application thereof to any person or circumstance, is found to be
- 209 unconstitutional, the balance of this section shall be given effect without the invalid
- 210 provision, subsection, sentence, clause, phrase, or word.
- 211 Section 2. **Effective date.**
- 212 This bill takes effect on July 1, 2025.