

Health Curriculum and Procedures Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Gricius

Senate Sponsor: Kirk A. Cullimore

1

LONG TITLE**General Description:**

This bill amends provisions regarding health instruction and physical and mental health procedures in the public education system.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Utah Education and Telehealth Network and any health care provider to obtain written parental consent before providing or facilitating telehealth or another health care service to a student within a public school;
- ▶ establishes requirements for in-school mental health therapy, including:
 - identifying who may and may not provide in-school mental health therapy; and
 - requiring parental consent and certain parental notification;
- ▶ ensures that a local or state rule or policy does not create an exemption for otherwise prohibited endorsement, promotion, or disparagement of a certain religious belief or viewpoint;
- ▶ modifies required health instruction, including:
 - establishing statutory purposes for the curriculum the state board establishes;
 - adding situational awareness and the "success sequence";
 - reorganizing duties and prohibitions regarding instruction, discussion, and advocacy of certain concepts;
- ▶ amends the effect of prior written parental consent and the allowable subjects in sex education instruction; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53B-17-105**, as last amended by Laws of Utah 2021, Chapter 34433 **53G-10-202**, as last amended by Laws of Utah 2023, Chapter 29434 **53G-10-402**, as last amended by Laws of Utah 2024, Chapters 20, 50735 **53G-10-403**, as last amended by Laws of Utah 2019, Chapter 293

36 ENACTS:

37 **53G-9-214**, Utah Code Annotated 195338 **53G-9-901**, Utah Code Annotated 195339 **53G-9-902**, Utah Code Annotated 1953

40

41 *Be it enacted by the Legislature of the state of Utah:*42 Section 1. Section **53B-17-105** is amended to read:43 **53B-17-105 . Utah Education and Telehealth Network.**

44 (1) There is created the Utah Education and Telehealth Network, or UETN.

45 (2) UETN shall:

46 (a) coordinate and support the telecommunications needs of public and higher education,
47 public libraries, and entities affiliated with the state systems of public and higher
48 education as approved by the Utah Education and Telehealth Network Board,
49 including the statewide development and implementation of a network for education,
50 which utilizes satellite, microwave, fiber-optic, broadcast, and other transmission
51 media;52 (b) coordinate the various telecommunications technology initiatives of public and
53 higher education;54 (c) provide high-quality, cost-effective Internet access and appropriate interface
55 equipment for schools and school systems;56 (d) procure, install, and maintain telecommunication services and equipment on behalf
57 of public and higher education;58 (e) develop or implement other programs or services for the delivery of distance learning
59 and telehealth services as directed by law;

60 (f) apply for state and federal funding on behalf of:

61 (i) public and higher education; and

62 (ii) telehealth services;

63 (g) in consultation with health care providers from a variety of health care systems,

- 64 explore and encourage the development of telehealth services as a means of reducing
65 health care costs and increasing health care quality and access, with emphasis on
66 assisting rural health care providers and special populations; and
- 67 (h) in consultation with the Utah Department of Health, advise the governor and the
68 Legislature on:
- 69 (i) the role of telehealth in the state;
70 (ii) the policy issues related to telehealth;
71 (iii) the changing telehealth needs and resources in the state; and
72 (iv) state budgetary matters related to telehealth.
- 73 (3) In performing the duties under Subsection (2), UETN shall:
- 74 (a) provide services to schools, school districts, and the public and higher education
75 systems through an open and competitive bidding process;
- 76 (b) work with the private sector to deliver high-quality, cost-effective services;
- 77 (c) avoid duplicating facilities, equipment, or services of private providers or public
78 telecommunications service, as defined under Section 54-8b-2;
- 79 (d) utilize statewide economic development criteria in the design and implementation of
80 the educational telecommunications infrastructure;~~and]~~
- 81 (e) assure that public service entities, such as educators, public service providers, and
82 public broadcasters, are provided access to the telecommunications infrastructure
83 developed in the state~~[-] ; and~~
- 84 (f) before providing or facilitating any telehealth service to a student in a public school,
85 obtain informed written consent of the student's parent, as defined in Section
86 53E-1-103, for the telehealth service.
- 87 (4) The University of Utah shall provide administrative support for UETN.
- 88 (5)(a) The Utah Education and Telehealth Network Board, which is the governing board
89 for UETN, is created.
- 90 (b) The Utah Education and Telehealth Network Board shall have 13 members as
91 follows:
- 92 (i) five members representing the state system of higher education, of which at least
93 one member represents technical colleges, appointed by the commissioner of
94 higher education;
- 95 (ii) four members representing the state system of public education appointed by the
96 State Board of Education;
- 97 (iii) one member representing the state library appointed by the state librarian;

- 98 (iv) two members representing hospitals as follows:
99 (A) the members may not be employed by the same hospital system;
100 (B) one member shall represent a rural hospital;
101 (C) one member shall represent an urban hospital; and
102 (D) the chief administrator or the administrator's designee for each hospital
103 licensed in this state shall select the two hospital representatives; and
104 (v) one member representing the office of the governor, appointed by the governor.
105 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
106 appointed for the unexpired term.
107 (d)(i) The board shall elect a chair.
108 (ii) The chair shall set the agenda for the board meetings.
109 (6) A member of the board may not receive compensation or benefits for the member's
110 service, but may receive per diem and travel expenses in accordance with:
111 (a) Section 63A-3-106;
112 (b) Section 63A-3-107; and
113 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
114 63A-3-107.
115 (7) The board:
116 (a) shall hire an executive director for UETN who may hire staff for UETN as permitted
117 by the budget;
118 (b) may terminate the executive director's employment or assignment;
119 (c) shall determine the executive director's salary;
120 (d) shall annually conduct a performance evaluation of the executive director;
121 (e) shall establish policies the board determines are necessary for the operation of UETN
122 and the administration of UETN's duties; and
123 (f) shall advise UETN in:
124 (i) the development and operation of a coordinated, statewide, multi-option
125 telecommunications system to assist in the delivery of educational services and
126 telehealth services throughout the state; and
127 (ii) acquiring, producing, and distributing instructional content.
128 (8) The executive director of UETN shall be an at-will employee.
129 (9) UETN shall locate and maintain educational and telehealth telecommunication
130 infrastructure throughout the state.
131 (10) Educational institutions shall manage site operations under policy established by

132 UETN.

133 (11) Subject to future budget constraints, the Legislature shall provide an annual
134 appropriation to operate UETN.

135 (12) If the network operated by the Division of Technology Services is not available,
136 UETN may provide network connections to the central administration of counties and
137 municipalities for the sole purpose of transferring data to a secure facility for backup and
138 disaster recovery.

139 Section 2. Section **53G-9-214** is enacted to read:

140 **53G-9-214 . Health care services in public schools.**

141 Before a health care provider, as defined in Section 58-80a-102, may provide or
142 facilitate a health care service that is not traditionally available to a student in a public school,
143 the health care provider shall obtain the informed written consent of the student's parent for the
144 health care service.

145 Section 3. Section **53G-9-901** is enacted to read:

146 **Part 9. Mental Health Services in Public Schools**

147 **53G-9-901 . Definitions.**

148 As used in this part:

149 (1)(a) "In-school mental health therapy" means a therapy, therapeutic strategy, or other
150 mental health counseling that takes place in a school setting and includes:

151 (i) mental health therapy as defined in Section 26B-1-329;

152 (ii) the practice of mental health therapy as defined in Section 58-61-102;

153 (iii) the diagnosis of a mental health disorder;

154 (iv) psychoanalysis;

155 (v) psychotherapy;

156 (vi) hypnotherapy; or

157 (vii) neuropsychology.

158 (b) "In-school mental health therapy" does not include:

159 (i) describing basic stress-management strategies;

160 (ii) informing students of the availability of in-school mental health therapy; or

161 (iii) engaging in generalized crisis response protocols that the state board establishes,
162 which does not include one-on-one counseling.

163 (2) "School-based mental health therapist" means an individual:

164 (a) who holds:

165 (i) a license as a mental health therapist as defined in Section 58-60-102; or

- 166 (ii) a license or certification under Title 58, Chapter 60, Part 6, Behavioral Health
 167 Coach and Technician Licensing Act; and
 168 (b) whom an LEA or school employs, or engages by contract, to support students' mental
 169 health through in-school mental health therapy.

170 Section 4. Section **53G-9-902** is enacted to read:

171 **53G-9-902 . Parental consent required -- Parental notification required.**

- 172 (1) Except as provided in a student's IEP or 504 plan:
 173 (a) an individual who is not a school-based mental health therapist may not provide
 174 in-school mental health therapy; and
 175 (b) an individual may not provide in-school mental health therapy in a traditional
 176 general education classroom setting with other students present in the classroom.
 177 (2) For a school-based mental health therapist to provide in-school mental health therapy:
 178 (a) the relevant LEA, school, or school-based mental health therapist shall obtain written
 179 parental consent before the first instance of in-school mental health therapy in a given
 180 school year; and
 181 (b) after each instance of in-school mental health therapy, on the day of the instance, the
 182 school-based mental health therapist shall provide to the student's parent:
 183 (i) notice that the instance took place; and
 184 (ii) a description of the topic and content of the therapy.
 185 (3)(a)(i) When obtaining the written parental consent described in Subsection (2)(a),
 186 the LEA or school shall provide the parent an opportunity to identify topics or
 187 issues the parent intends a school-based mental health therapist to address or to
 188 not address with the student.
 189 (ii) A school-based mental health therapist may not address a topic or issue for which
 190 a parent has expressly stated an intent for the therapist to not address with the
 191 student under this Subsection (3)(a).
 192 (b) The requirement to obtain prior parental consent before providing in-school mental
 193 health therapy described in Subsection (2)(a) does not apply in a case in which a
 194 delay to contact a parent would create a serious risk of suicide or serious bodily
 195 injury, as defined in Section 76-1-101.5, to the student or to another individual.
 196 (c) A student's IEP or 504 plan that includes in-school mental health therapy satisfies the
 197 parental consent requirement described in Subsection (2)(a).
 198 (4)(a) The state board may make rules, in accordance with Title 63G, Chapter 3, Utah
 199 Administrative Rulemaking Act, regarding the application of this section to the

200 actions of educators and staff in the public education system.

201 (b) The state board shall, in consultation with the Department of Health and Human
 202 Services, provide guidance to school-based mental health therapists, educators, and
 203 school support staff on conduct and practices that constitute and do not constitute
 204 in-school mental health therapy.

205 Section 5. Section **53G-10-202** is amended to read:

206 **53G-10-202 . Maintaining constitutional freedom in the public schools.**

207 (1) Except as provided in this section and in Section 53G-10-206, any instructional activity,
 208 performance, or display which includes examination of or presentations about religion,
 209 political or religious thought or expression, or the influence thereof on music, art,
 210 literature, law, politics, history, or any other element of the curriculum, including the
 211 comparative study of religions, which is designed to achieve academic educational
 212 objectives included within the context of a course or activity and conducted in
 213 accordance with applicable rules or policies of the state and LEA governing boards, may
 214 be undertaken in the public schools.

215 (2) No aspect of cultural heritage, political theory, moral theory, or societal value shall be
 216 included within or excluded from public school curricula for the primary reason that it
 217 affirms, ignores, or denies religious belief, religious doctrine, a religious sect, or the
 218 existence of a spiritual realm or supreme being.

219 (3) Public schools may not sponsor or deny the practice of prayer or religious devotionals.

220 (4) School officials and employees may not~~[use their positions]~~ , regardless of a school,
 221 LEA, or state board rule or policy, use the official's or employee's position to endorse,
 222 promote, or disparage a particular religious, denominational, sectarian, agnostic, or
 223 atheistic belief or viewpoint.

224 Section 6. Section **53G-10-402** is amended to read:

225 **53G-10-402 . Instruction in health -- Parental consent requirements -- Conduct**
 226 **and speech of school employees and volunteers -- Political and religious doctrine**
 227 **prohibited.**

228 (1) As used in this section:

229 (a) "LEA governing board" means a local school board or charter school governing
 230 board.

231 (b) "Refusal skills" means instruction:

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

- 234 (ii) in a student's obligation to stop the student's sexual advances if refused by another
 235 individual;
- 236 (iii) informing a student of the student's right to report and seek counseling for
 237 unwanted sexual advances; and
 238 ~~[(iv) in sexual harassment; and]~~
 239 ~~[(v)]~~ (iv) informing a student that a student may not consent to criminally prohibited
 240 activities or activities for which the student is legally prohibited from giving
 241 consent, including the electronic transmission of sexually explicit images by an
 242 individual, regardless of whether the image is of the individual who transmits the
 243 image or of another individual.
- 244 (c) "Situational awareness" means instruction in a student's ability to:
 245 (i) observe the student's environment, including:
 246 (A) increasing awareness; and
 247 (B) noticing details and changes in the environment; and
 248 (ii) respond in unsafe situations, including how to seek help.
- 249 (d) "Success sequence" means a three-prong framework for youth and young adults that
 250 encourages:
 251 (i) completing at least a high school education and pursuing further educational
 252 opportunities;
 253 (ii) obtaining full-time employment; and
 254 (iii) marrying before having children.
- 255 ~~[(2)(a) The state board shall establish curriculum requirements under Section 53E-3-501 that~~
 256 ~~include instruction in:]~~
 257 ~~[(i) community and personal health;]~~
 258 ~~[(ii) physiology;]~~
 259 ~~[(iii) personal hygiene;]~~
 260 ~~[(iv) prevention of communicable disease;]~~
 261 ~~[(v) refusal skills; and]~~
 262 ~~[(vi) the harmful effects of pornography.]~~
- 263 ~~[(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state~~
 264 ~~board shall make rules that, and instruction shall:]~~
 265 ~~[(i) stress the importance of abstinence from all sexual activity before marriage and fidelity~~
 266 ~~after marriage as methods for preventing certain communicable diseases;]~~
 267 ~~[(ii) stress personal skills that encourage individual choice of abstinence and fidelity;]~~

268 ~~[(iii) prohibit instruction in:]~~

269 ~~[(A) the intricacies of intercourse, sexual stimulation, or erotic behavior;]~~

270 ~~[(B) the advocacy of premarital or extramarital sexual activity; or]~~

271 ~~[(C) the advocacy or encouragement of the use of contraceptive methods or devices; and]~~

272 ~~[(iv) except as provided in Subsection (2)(d), allow instruction to include information about~~

273 ~~contraceptive methods or devices that stresses effectiveness, limitations, risks, and~~

274 ~~information on state law applicable to minors obtaining contraceptive methods or devices.]~~

275 ~~[(e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state~~

276 ~~board shall make rules for an LEA governing board that adopts instructional materials~~

277 ~~under Subsection (2)(g)(ii) that:]~~

278 ~~[(i) require the LEA governing board to report on the materials selected and the LEA~~

279 ~~governing board's compliance with Subsection (2)(h); and]~~

280 ~~[(ii) provide for an appeal and review process of the LEA governing board's adoption of~~

281 ~~instructional materials.]~~

282 ~~[(d) The state board may not require an LEA to teach or adopt instructional materials that~~

283 ~~include information on contraceptive methods or devices.]~~

284 ~~[(e)(i) At no time may instruction be provided, including responses to spontaneous questions~~

285 ~~raised by students, regarding any means or methods that facilitate or encourage the~~

286 ~~violation of any state or federal criminal law by a minor or an adult.]~~

287 ~~[(ii) Subsection (2)(e)(i) does not preclude an instructor from responding to a spontaneous~~

288 ~~question as long as the response is consistent with the provisions of this section.]~~

289 ~~[(f) The state board shall recommend instructional materials for use in the curricula required~~

290 ~~under Subsection (2)(a).]~~

291 ~~[(g) An LEA governing board may choose to adopt:]~~

292 ~~[(i) the instructional materials recommended under Subsection (2)(f); or]~~

293 ~~[(ii) other instructional materials in accordance with Subsection (2)(h).]~~

294 ~~[(h) An LEA governing board that adopts instructional materials under Subsection (2)(g)(ii)~~

295 ~~shall:]~~

296 ~~[(i) ensure that the materials comply with state law and board rules;]~~

297 ~~[(ii) base the adoption of the materials on the recommendations of the LEA governing board's~~

298 ~~Curriculum Materials Review Committee;]~~

299 ~~[(iii) adopt the instructional materials in an open and regular meeting of the LEA governing~~

300 ~~board for which prior notice is given to parents of students who attend the respective~~

301 ~~schools; and]~~

302 ~~[(iv) give parents an opportunity to express the parents' views and opinions on the materials at~~
303 ~~the meeting described in Subsection (2)(h)(iii).]~~

304 (2)(a) In accordance with Section 53E-3-501, the state board shall establish health
305 curriculum requirements:

306 (i) for the purpose of:

307 (A) equipping students with practical safety skills regarding sexual abuse,
308 trafficking, and harassment;

309 (B) promoting respect for humankind and individual responsibility;

310 (C) fostering character development and decision making through the success
311 sequence; and

312 (D) encouraging healthy personal and family relationships; and

313 (ii) that include instruction in:

314 (A) the success sequence;

315 (B) community and personal health, including personal hygiene and the
316 prevention of communicable disease;

317 (C) physiology;

318 (D) human development;

319 (E) marriage and safe dating practices;

320 (F) refusal skills;

321 (G) resilience;

322 (H) situational awareness;

323 (I) the harmful effects of pornography; and

324 (J) the consequences of behaviors that pose a risk to individual health or of failure
325 under the success sequence.

326 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
327 state board shall make rules that:

328 (i) ensure that instruction stresses the importance of abstinence from all sexual
329 activity before marriage and fidelity after marriage as methods for:

330 (A) maintaining mental, physical, and social health, including reducing stress;

331 (B) eliminating risks associated with sexual activity, including preventing
332 pregnancy and certain communicable diseases; and

333 (C) achieving the success sequence;

334 (ii) ensure that instruction stresses personal skills that encourage abstinence and
335 fidelity;

- 336 (iii) prohibit instruction or discussion, regardless of parental consent or intent to
337 receive the prohibited instruction, in or regarding:
- 338 (A) the intricacies of sexual stimulation or erotic behavior;
339 (B) the advocacy of premarital or extramarital sexual activity;
340 (C) the advocacy or encouragement of the use of contraceptive methods or
341 devices; and
- 342 (D) any means or methods that facilitate or encourage the violation of any state or
343 federal criminal law by a minor or an adult, including as a response to a
344 spontaneous question from a student; and
- 345 (iv) subject to Subsection (2)(c), allow instruction to include information about
346 contraceptive methods or devices that stresses effectiveness, limitations, risks, and
347 information on state law applicable to minors obtaining contraceptive methods or
348 devices.
- 349 (c)(i) As used in this Subsection (2), "contraceptive methods or devices" does not
350 include abortion or any abortive methods.
- 351 (ii) Notwithstanding the allowance for instruction about contraceptive methods or
352 devices in Subsection (2)(b):
- 353 (A) the state board may not require an LEA to teach or adopt instructional
354 materials that include information on contraceptive methods or devices; and
- 355 (B) an individual may not demonstrate or otherwise depict the use of a
356 contraceptive method or device.
- 357 (d) The state board shall:
- 358 (i) recommend instructional materials for use in the curricula required under
359 Subsection (2)(a); and
- 360 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
361 make rules for an LEA governing board that adopts alternative instructional
362 materials under Subsection (2)(e) to:
- 363 (A) require the LEA governing board to report on the materials the governing
364 board selects and the governing board's compliance with Subsection (2)(e); and
- 365 (B) provide for an appeal and review process of the LEA governing board's
366 adoption of instructional materials.
- 367 (e)(i) An LEA governing board may choose to adopt:
- 368 (A) the instructional materials recommended under Subsection (2)(d); or
369 (B) alternative instructional materials in accordance with Subsection (2)(e)(ii).

- 370 (ii) An LEA governing board that adopts instructional materials under Subsection
 371 (2)(e)(i) shall:
- 372 (A) ensure that the materials comply with state law and state board rules;
 373 (B) base the adoption of the materials on the recommendations of the LEA
 374 governing board's Curriculum Materials Review Committee;
 375 (C) adopt the instructional materials in an open and regular meeting of the LEA
 376 governing board for which parents of students who attend the respective
 377 schools receive prior notice; and
 378 (D) give parents an opportunity to express the parents' views and opinions on the
 379 materials at the meeting described in Subsection (2)(e)(ii)(C).
- 380 (f) At the request of the state board, the Department of Health and Human Services shall
 381 provide recommendations to the state board as the state board develops the
 382 curriculum, rules, or programs described in this Subsection (2).
- 383 (3)~~(a)~~ A student shall receive the instruction ~~[in the courses]~~ described in Subsection (2) on
 384 at least two occasions ~~[during the period that begins with]~~ between the beginning of grade 8
 385 and the end of grade 12.
- 386 ~~(b) At the request of the state board, the Department of Health and Human Services shall~~
 387 ~~cooperate with the state board in developing programs to provide instruction in those areas.]~~
- 388 (4)(a) The state board shall ~~adopt~~ , in accordance with Title 63G, Chapter 3, Utah
 389 Administrative Rulemaking Act, make rules that:
- 390 (i) provide ~~[that]~~ for the compliance with the parental consent requirements of
 391 Sections 76-7-322 ~~[and 76-7-323 are complied with];~~ and
 392 (ii) require advance notice to a student's parent~~[to be notified in advance and have]~~
 393 that provides an opportunity to review the information for which parental consent
 394 is required under Sections 76-7-322 and 76-7-323.
- 395 (b) The state board shall ~~[also]~~ provide procedures for disciplinary action for violation of
 396 Section 76-7-322 or 76-7-323.
- 397 (5)(a) In ~~[keeping with the requirements of]~~ accordance with Section 53G-10-204 and
 398 Subsection (2)(b)(iii), and because school employees and volunteers serve as
 399 examples to students, school employees or volunteers acting in an official capacity
 400 may not support or encourage criminal conduct by students, teachers, or volunteers.
- 401 (b) To ensure the effective performance of school personnel, the limitations described in
 402 Subsection (5)(a) also apply to a school employee or volunteer acting outside of the
 403 school employee's or volunteer's official capacity if:

- 404 (i) the employee or volunteer knew or should have known that the employee's or
 405 volunteer's action could result in a material and substantial interference or
 406 disruption in the normal activities of the school; and
- 407 (ii) ~~[that]~~ the employee's or volunteer's action ~~[does result]~~ results in a material and
 408 substantial interference or disruption in the normal activities of the school.
- 409 (c) The state board or an LEA governing board may not allow training of school
 410 employees or volunteers that ~~[support]~~ supports or ~~[encourage]~~ encourages criminal
 411 conduct.
- 412 (d) The state board shall~~[-adopt]~~, in accordance with Title 63G, Chapter 3, Utah
 413 Administrative Rulemaking Act, make rules implementing this ~~[section]~~ Subsection
 414 (5).
- 415 (e) Nothing in this section limits the ability or authority of the state board or an LEA
 416 governing board to enact and enforce rules or take actions that are otherwise lawful~~[-]~~
 417 regarding an educator's, employee's, or volunteer's qualifications or behavior
 418 evidencing unfitness for duty.
- 419 (6) Except as provided in Section 53G-10-202, an individual may not teach or provide
 420 instruction on political, atheistic, sectarian, religious, or denominational doctrine ~~[may~~
 421 ~~not be taught]~~ in the public schools.
- 422 (7)(a) An LEA governing board and an LEA governing board's employees shall
 423 cooperate and share responsibility in carrying out the purposes of this chapter.
- 424 (b) An LEA governing board shall:
- 425 (i)(A) ~~[-]~~provide appropriate professional development for the LEA governing
 426 board's teachers, counselors, and school administrators to enable the teachers,
 427 counselors, and school administrators to understand, protect, and properly
 428 instruct students in the values and character traits referred to in this section and
 429 Sections 53E-9-202, 53E-9-203, 53G-10-202, 53G-10-203, 53G-10-204, and
 430 53G-10-205~~[-]~~ ; and~~[-]~~
- 431 (B) distribute appropriate written materials on the values, character traits, and
 432 conduct described in Subsection (7)(b)(i) to each individual receiving the
 433 professional development~~[-]~~ ; and
- 434 ~~[(e)]~~ (ii) ~~[An LEA governing board shall]~~make the written materials described in
 435 Subsection (7)(b) available to classified employees, students, and students' parents.
- 436 ~~[(d)]~~ (c) ~~[In order to]~~ To assist an LEA governing board in providing the professional
 437 development required under Subsection (7)(b), the state board shall, as appropriate,

438 contract with a qualified individual or entity possessing expertise in the areas [
 439 ~~referred to~~] described in Subsection (7)(b) to develop and disseminate model teacher
 440 professional development programs that an LEA governing board may use to train
 441 the individuals [~~referred to~~] described in Subsection (7)(b) to effectively teach the
 442 values and qualities of character [~~refereneed~~] described in Subsection (7)(b).

443 [(e)] (d) In accordance with [~~the provisions of~~] Subsection (5)(c), professional
 444 development may not support or encourage criminal conduct.

445 (8) An LEA governing board shall review every two years:

446 (a) LEA governing board policies on instruction described in this section;

447 (b) for a local school board, data for each county [~~that~~] in which the school district is
 448 located[~~in~~], or, for a charter school governing board, data for the county in which the
 449 charter school is located, on the following:

450 (i) teen pregnancy;

451 (ii) child sexual abuse; and

452 (iii) sexually transmitted diseases and sexually transmitted infections; and

453 (c) the number of pornography complaints or other instances reported within the
 454 jurisdiction of the LEA governing board.

455 (9) If any one or more provision, subsection, sentence, clause, phrase, or word of this
 456 section, or the application thereof to any person or circumstance, is found to be
 457 unconstitutional, the balance of this section shall be given effect without the invalid
 458 provision, subsection, sentence, clause, phrase, or word.

459 Section 7. Section **53G-10-403** is amended to read:

460 **53G-10-403 . Required parental consent for sex education instruction.**

461 (1) As used in this section:

462 (a)(i) "Sex education instruction" means, for the purpose of the parental consent
 463 requirement in this section, any course material, unit, class, lesson, activity, or
 464 presentation that, as the focus of the discussion, provides instruction or
 465 information to a student about:

466 (A) sexual abstinence;

467 (B) human [~~sexuality~~] development, including puberty and maturation;

468 (C) human [~~reproduction~~] reproductive processes, including conception, fetal
 469 development, and birth;

470 (D) human reproductive anatomy[;] and

471 [(E)] physiology;

- 472 ~~[(F) pregnancy;]~~
 473 ~~[(G)] (E) healthy dating practices, marriage, and parenthood, in accordance with~~
 474 ~~the success sequence as defined in Section 53G-10-402;~~
 475 ~~[(H) childbirth;]~~
 476 ~~[(I) parenthood;]~~
 477 ~~(F) adoption in accordance with Section 53G-10-404;~~
 478 ~~[(J)] (G) [e]ontraception] information about contraceptive methods or devices in~~
 479 ~~accordance with Subsections 53G-10-402(2)(b) and (c);~~
 480 ~~[(K) HIV/AIDS;]~~
 481 ~~[(L)] (H) chronic, infectious, and acute diseases and conditions of the reproductive~~
 482 ~~system, including sexually transmitted infections and diseases; or~~
 483 ~~[(M)] (I) refusal skills, as defined in Section 53G-10-402.~~
 484 (ii) "Sex education instruction" does not include: [-]
 485 ~~(A) child sexual abuse prevention instruction described in Section 53G-9-207[-] ; or~~
 486 ~~(B) instruction in refusal skills or situational awareness, as those terms are defined~~
 487 ~~in Section 53G-10-402.~~
 488 (b) "School" means the same as that term is defined in Section 53G-10-205.
 489 (2)(a) A school shall obtain prior written consent from a student's parent before the
 490 school may provide sex education instruction to the student.
 491 (b) A school may not provide:
 492 ~~(i) sex education instruction to a student without the prior written consent described~~
 493 ~~in Subsection (2)(a); or~~
 494 ~~(ii) any instruction related to sex that is not:~~
 495 ~~(A) described in the definition of sex education and subject to the prior written~~
 496 ~~consent described in Subsection (2)(a); or~~
 497 ~~(B) otherwise provided for or described in Section 53G-10-402.~~
 498 (3) If a student's parent chooses not to have the student participate in sex education
 499 instruction, a school shall:
 500 (a) waive the requirement for the student to participate in the sex education instruction;
 501 or
 502 (b) provide the student with a reasonable alternative to the sex education instruction
 503 requirement that does not include the content described in Subsection (1)(a).
 504 (4) In cooperation with the student's teacher or school, a parent ~~[shall take responsibility for~~
 505 ~~the parent's student's]~~ is responsible for the sex education instruction of the parent's

506 student if a school:
507 (a) waives the student's sex education instruction requirement [~~in~~] under Subsection (3)(a);
508 or
509 (b) provides the student with a reasonable alternative to the sex education instruction
510 requirement [~~described in~~] under Subsection (3)(b).
511 (5) A school, an LEA governing board, or the state board may not penalize a student's
512 academic or citizenship performance [~~may not be penalized~~] if the student's parent
513 chooses not to have the student participate in sex education instruction as described in
514 Subsection (3).
515 Section 8. **Effective Date.**
516 This bill takes effect on July 1, 2025.