

Stephanie Gricius proposes the following substitute bill:

**Health Curriculum and Procedures Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Gricius**

Senate Sponsor: Kirk A. Cullimore

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**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 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:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53G-10-202 (Effective 07/01/25)**, as last amended by Laws of Utah 2023, Chapter 294

33 **53G-10-402 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapters 20,  
34 507

35 **53G-10-403 (Effective 07/01/26)**, as last amended by Laws of Utah 2019, Chapter 293

36 ENACTS:

37 **53G-9-214 (Effective 07/01/25)**, Utah Code Annotated 1953

38 **53G-9-901 (Effective 07/01/25)**, Utah Code Annotated 1953

39 **53G-9-902 (Effective 07/01/25)**, Utah Code Annotated 1953



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

42 Section 1. Section **53G-9-214** is enacted to read:

43 **53G-9-214 (Effective 07/01/25). Health care services in public schools.**

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

48 Section 2. Section **53G-9-901** is enacted to read:

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

50 **53G-9-901 (Effective 07/01/25). Definitions.**

51 As used in this part:

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

- 54 (i) mental health therapy as defined in Section 26B-1-329;
- 55 (ii) the practice of mental health therapy as defined in Section 58-61-102;
- 56 (iii) the diagnosis of a mental health disorder;
- 57 (iv) psychoanalysis;
- 58 (v) psychotherapy;
- 59 (vi) hypnotherapy; or
- 60 (vii) neuropsychology.

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

- 62 (i) describing basic stress-management strategies;

- 63           (ii) informing students and parents of the availability of in-school mental health  
 64           therapy; or  
 65           (iii) engaging in generalized crisis response protocols that the state board establishes,  
 66           which does not include one-on-one counseling.

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

68 (a) who holds:

- 69           (i) a license as a mental health therapist as defined in Section 58-60-102; or  
 70           (ii) a license or certification under Title 58, Chapter 60, Part 6, Behavioral Health  
 71           Coach and Technician Licensing Act; and

72 (b) whom an LEA or school employs, engages by contract, or engages by agreement, to  
 73           support students' mental health through in-school mental health therapy in  
 74           accordance with the scope of the individual's license or certification described in  
 75           Subsection (2)(a).

76 Section 3. Section **53G-9-902** is enacted to read:

77           **53G-9-902 (Effective 07/01/25). Parental consent required -- Parental**  
 78 **notification required.**

79 (1) Except as provided in a student's IEP or 504 plan:

- 80           (a) an individual who is not a school-based mental health therapist may not provide  
 81           in-school mental health therapy; and  
 82           (b) an individual may not provide in-school mental health therapy in a traditional  
 83           general education classroom setting with other students present in the classroom.

84 (2) For a school-based mental health therapist to provide in-school mental health therapy:

- 85           (a) the relevant LEA, school, or school-based mental health therapist shall obtain written  
 86           parental consent before the first session of in-school mental health therapy in a given  
 87           school year; and  
 88           (b) after each session of in-school mental health therapy, on the day of the instance, the  
 89           school-based mental health therapist shall provide to the student's parent:  
 90           (i) notice that the session took place; and  
 91           (ii) a description of the topic of the therapy.

92 (3)(a)(i) When obtaining the written parental consent described in Subsection (2)(a),

93           the LEA, school, or school-based mental health therapist shall, through  
 94           consultation with the parent, provide the parent an opportunity to identify topics  
 95           or issues the parent intends a school-based mental health therapist to address or to  
 96           not address with the student.

97 (ii) A school-based mental health therapist may not address a topic or issue for which  
 98 a parent has expressly stated an intent for the therapist to not address with the  
 99 student under this Subsection (3)(a).

100 (iii) Notwithstanding Subsections (3)(a)(i) and (3)(a)(ii), if a student reports  
 101 information that creates a duty on the school-based mental health therapist to  
 102 make a report for the following, the therapist may discuss the information with the  
 103 student to the extent necessary to make the mandatory report:

104 (A) suspected cases of child abuse or neglect under Section 80-2-602;

105 (B) abuse of a student under Section 53E-6-701; or

106 (C) any other legally mandated duty to report an incident.

107 (b)(i) The requirement to obtain prior written parental consent before providing  
 108 in-school mental health therapy described in Subsection (2)(a) does not apply in a  
 109 case in which a delay to contact a parent would create an immediate serious risk  
 110 of suicide or serious bodily injury, as defined in Section 76-1-101.5, to the student  
 111 or to another individual.

112 (ii) For a circumstance described in Subsection (3)(b)(i), the LEA, school, or  
 113 school-based mental health therapist shall notify a parent in accordance with  
 114 Section 53G-9-604.

115 (c) A student's IEP or 504 plan that includes in-school mental health therapy satisfies the  
 116 parental consent requirement described in Subsection (2)(a).

117 (4)(a) The state board may make rules, in accordance with Title 63G, Chapter 3, Utah  
 118 Administrative Rulemaking Act, regarding the application of this section to the  
 119 actions of educators and staff in the public education system.

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

124 Section 4. Section **53G-10-202** is amended to read:

125 **53G-10-202 (Effective 07/01/25). Maintaining constitutional freedom in the**  
 126 **public schools.**

127 (1) Except as provided in this section and in Section 53G-10-206, any instructional activity,  
 128 performance, or display which includes examination of or presentations about religion,  
 129 political or religious thought or expression, or the influence thereof on music, art,  
 130 literature, law, politics, history, or any other element of the curriculum, including the

131 comparative study of religions, which is designed to achieve academic educational  
 132 objectives included within the context of a course or activity and conducted in  
 133 accordance with applicable rules or policies of the state and LEA governing boards, may  
 134 be undertaken in the public schools.

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

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

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

144 Section 5. Section **53G-10-402** is amended to read:

145 **53G-10-402 (Effective 07/01/26). Instruction in health -- Parental consent**  
 146 **requirements -- Conduct and speech of school employees and volunteers -- Political and**  
 147 **religious doctrine prohibited.**

148 (1) As used in this section:

149 (a) "LEA governing board" means a local school board or charter school governing  
 150 board.

151 (b) "Refusal skills" means instruction:

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

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

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

158 [~~(iv) in sexual harassment; and~~]

159 [~~(v)~~] (iv) informing a student that a student may not consent to criminally prohibited  
 160 activities or activities for which the student is legally prohibited from giving  
 161 consent, including the electronic transmission of sexually explicit images by an  
 162 individual, regardless of whether the image is of the individual who transmits the  
 163 image or of another individual.

164 (c) "Situational awareness" means instruction in a student's ability to:

- 165 (i) observe the student's environment, including:
- 166 (A) increasing awareness; and
- 167 (B) noticing details and changes in the environment; and
- 168 (ii) respond in unsafe situations, including how to seek help.
- 169 (d) "Success sequence" means a three-prong framework for youth and young adults that
- 170 encourages:
- 171 (i) completing at least a high school education and pursuing further educational
- 172 opportunities;
- 173 (ii) obtaining full-time employment; and
- 174 (iii) marrying before having children.
- 175 ~~[(2)(a) The state board shall establish curriculum requirements under Section 53E-3-501~~
- 176 ~~that include instruction in:]~~
- 177 ~~[(i) community and personal health;]~~
- 178 ~~[(ii) physiology;]~~
- 179 ~~[(iii) personal hygiene;]~~
- 180 ~~[(iv) prevention of communicable disease;]~~
- 181 ~~[(v) refusal skills; and]~~
- 182 ~~[(vi) the harmful effects of pornography.]~~
- 183 ~~[(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
- 184 ~~state board shall make rules that, and instruction shall:]~~
- 185 ~~[(i) stress the importance of abstinence from all sexual activity before marriage and~~
- 186 ~~fidelity after marriage as methods for preventing certain communicable diseases;]~~
- 187 ~~[(ii) stress personal skills that encourage individual choice of abstinence and fidelity;]~~
- 188 ~~[(iii) prohibit instruction in:]~~
- 189 ~~[(A) the intricacies of intercourse, sexual stimulation, or erotic behavior;]~~
- 190 ~~[(B) the advocacy of premarital or extramarital sexual activity; or]~~
- 191 ~~[(C) the advocacy or encouragement of the use of contraceptive methods or~~
- 192 ~~devices; and]~~
- 193 ~~[(iv) except as provided in Subsection (2)(d), allow instruction to include information~~
- 194 ~~about contraceptive methods or devices that stresses effectiveness, limitations,~~
- 195 ~~risks, and information on state law applicable to minors obtaining contraceptive~~
- 196 ~~methods or devices.]~~
- 197 ~~[(e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
- 198 ~~state board shall make rules for an LEA governing board that adopts instructional~~

- 199 materials under Subsection (2)(g)(ii) that:]
- 200 [(i) require the LEA governing board to report on the materials selected and the LEA
- 201 governing board's compliance with Subsection (2)(h); and]
- 202 [(ii) provide for an appeal and review process of the LEA governing board's adoption
- 203 of instructional materials.]
- 204 [(d) The state board may not require an LEA to teach or adopt instructional materials
- 205 that include information on contraceptive methods or devices.]
- 206 [(e)(i) At no time may instruction be provided, including responses to spontaneous
- 207 questions raised by students, regarding any means or methods that facilitate or
- 208 encourage the violation of any state or federal criminal law by a minor or an adult.]
- 209 [(ii) Subsection (2)(e)(i) does not preclude an instructor from responding to a
- 210 spontaneous question as long as the response is consistent with the provisions of
- 211 this section.]
- 212 [(f) The state board shall recommend instructional materials for use in the curricula
- 213 required under Subsection (2)(a).]
- 214 [(g) An LEA governing board may choose to adopt:]
- 215 [(i) the instructional materials recommended under Subsection (2)(f); or]
- 216 [(ii) other instructional materials in accordance with Subsection (2)(h).]
- 217 [(h) An LEA governing board that adopts instructional materials under Subsection
- 218 (2)(g)(ii) shall:]
- 219 [(i) ensure that the materials comply with state law and board rules;]
- 220 [(ii) base the adoption of the materials on the recommendations of the LEA
- 221 governing board's Curriculum Materials Review Committee;]
- 222 [(iii) adopt the instructional materials in an open and regular meeting of the LEA
- 223 governing board for which prior notice is given to parents of students who attend
- 224 the respective schools; and]
- 225 [(iv) give parents an opportunity to express the parents' views and opinions on the
- 226 materials at the meeting described in Subsection (2)(h)(iii).]
- 227 (2)(a) In accordance with Section 53E-3-501, the state board shall establish health
- 228 curriculum requirements:
- 229 (i) for the purpose of:
- 230 (A) equipping students with practical safety skills regarding sexual abuse,
- 231 trafficking, and harassment;
- 232 (B) promoting respect for humankind and individual responsibility;

- 233 (C) fostering character development and decision making through the success  
 234 sequence; and
- 235 (D) encouraging healthy personal and family relationships; and  
 236 (ii) that include instruction in:
- 237 (A) the success sequence;  
 238 (B) community and personal health, including personal hygiene and the  
 239 prevention of communicable disease;  
 240 (C) physiology;  
 241 (D) human development;  
 242 (E) marriage and safe dating practices;  
 243 (F) refusal skills;  
 244 (G) resilience;  
 245 (H) situational awareness;  
 246 (I) the harmful effects of pornography; and  
 247 (J) the consequences of behaviors that pose a risk to individual health or of failure  
 248 under the success sequence.
- 249 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 250 state board shall make rules that:
- 251 (i) ensure that instruction stresses the importance of abstinence from all sexual  
 252 activity before marriage and fidelity after marriage as methods for:
- 253 (A) maintaining mental, physical, and social health, including reducing stress;  
 254 (B) eliminating risks associated with sexual activity, including preventing  
 255 pregnancy and certain communicable diseases; and  
 256 (C) achieving the success sequence;
- 257 (ii) ensure that instruction stresses personal skills that encourage abstinence, the  
 258 return to abstinence, and fidelity;
- 259 (iii) prohibit instruction or discussion, regardless of parental consent or intent to  
 260 receive the prohibited instruction, in or regarding:
- 261 (A) the intricacies of sexual stimulation or erotic behavior;  
 262 (B) the advocacy of premarital or extramarital sexual activity;  
 263 (C) the advocacy or encouragement of the use of contraceptive methods or  
 264 devices; and  
 265 (D) any means or methods that facilitate or encourage the violation of any state or  
 266 federal criminal law by a minor or an adult, including as a response to a



- 267 spontaneous question from a student; and
- 268 (iv) subject to Subsection (2)(c), allow instruction to include information about
- 269 contraceptive methods or devices, not including abortion or any abortive methods,
- 270 that stresses effectiveness, failure rates for youth, limitations, risks, and
- 271 information on state law applicable to minors obtaining contraceptive methods or
- 272 devices.
- 273 (c)(i) As used in this Subsection (2), "contraceptive methods or devices" does not
- 274 include abortion or any abortive methods.
- 275 (ii) Notwithstanding the allowance for instruction about contraceptive methods or
- 276 devices in Subsection (2)(b):
- 277 (A) the state board may not require an LEA to teach or adopt instructional
- 278 materials that include information on contraceptive methods or devices; and
- 279 (B) the instruction may not demonstrate or otherwise depict the use of a
- 280 contraceptive method or device.
- 281 (d) The state board shall:
- 282 (i) recommend instructional materials for use in the curricula required under
- 283 Subsection (2)(a); and
- 284 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 285 make rules for an LEA governing board that adopts alternative instructional
- 286 materials under Subsection (2)(e) to:
- 287 (A) require the LEA governing board to report on the materials the governing
- 288 board selects and the governing board's compliance with Subsection (2)(e); and
- 289 (B) provide for an appeal and review process of the LEA governing board's
- 290 adoption of instructional materials.
- 291 (e)(i) An LEA governing board may choose to adopt:
- 292 (A) the instructional materials recommended under Subsection (2)(d); or
- 293 (B) alternative instructional materials in accordance with Subsection (2)(e)(ii).
- 294 (ii) An LEA governing board that adopts instructional materials under Subsection
- 295 (2)(e)(i) shall:
- 296 (A) ensure that the materials comply with state law and state board rules;
- 297 (B) base the adoption of the materials on the recommendations of the LEA
- 298 governing board's Curriculum Materials Review Committee;
- 299 (C) adopt the instructional materials in an open and regular meeting of the LEA
- 300 governing board for which parents of students who attend the respective

- 301 schools receive prior notice; and
- 302 (D) give parents an opportunity to express the parents' views and opinions on the
- 303 materials at the meeting described in Subsection (2)(e)(ii)(C).
- 304 (f) At the request of the state board, the Department of Health and Human Services shall
- 305 provide recommendations to the state board as the state board develops the
- 306 curriculum, rules, or programs described in this Subsection (2).
- 307 (3)[(a)] A student shall receive the instruction [~~in the courses~~] described in Subsection
- 308 (2) on at least two occasions [~~during the period that begins with~~] between the
- 309 beginning of grade [8] 7 and the end of grade 12.
- 310 [~~(b) At the request of the state board, the Department of Health and Human Services~~
- 311 ~~shall cooperate with the state board in developing programs to provide instruction in~~
- 312 ~~those areas.~~]
- 313 (4)(a) The state board shall [~~adopt~~] , in accordance with Title 63G, Chapter 3, Utah
- 314 Administrative Rulemaking Act, make rules that:
- 315 (i) provide [~~that~~] for the compliance with the parental consent requirements of
- 316 Sections 76-7-322 [~~and 76-7-323 are complied with~~]; and
- 317 (ii) require advance notice to a student's parent [~~to be notified in advance and have~~]
- 318 that provides an opportunity to review the information for which parental consent
- 319 is required under Sections 76-7-322 and 76-7-323.
- 320 (b) The state board shall [~~also~~] provide procedures for disciplinary action for violation of
- 321 Section 76-7-322 or 76-7-323.
- 322 (5)(a) In [~~keeping with the requirements of~~] accordance with Section 53G-10-204 and
- 323 Subsection (2)(b)(iii), and because school employees and volunteers serve as
- 324 examples to students, school employees or volunteers acting in an official capacity
- 325 may not support or encourage criminal conduct by students, teachers, or volunteers.
- 326 (b) To ensure the effective performance of school personnel, the limitations described in
- 327 Subsection (5)(a) also apply to a school employee or volunteer acting outside of the
- 328 school employee's or volunteer's official capacity if:
- 329 (i) the employee or volunteer knew or should have known that the employee's or
- 330 volunteer's action could result in a material and substantial interference or
- 331 disruption in the normal activities of the school; and
- 332 (ii) [~~that~~] the employee's or volunteer's action [~~does result~~] results in a material and
- 333 substantial interference or disruption in the normal activities of the school.
- 334 (c) The state board or an LEA governing board may not allow training of school

335 employees or volunteers that ~~[support]~~ supports or ~~[encourage]~~ encourages criminal  
336 conduct.

337 (d) The state board shall~~[-adopt]~~, in accordance with Title 63G, Chapter 3, Utah  
338 Administrative Rulemaking Act, make rules implementing this [section] Subsection  
339 (5).

340 (e) Nothing in this section limits the ability or authority of the state board or an LEA  
341 governing board to enact and enforce rules or take actions that are otherwise lawful~~[-]~~  
342 regarding an educator's, employee's, or volunteer's qualifications or behavior  
343 evidencing unfitness for duty.

344 (6) Except as provided in Section 53G-10-202, an individual may not teach or provide  
345 instruction on political, atheistic, sectarian, religious, or denominational doctrine [may  
346 not be taught]in the public schools.

347 (7)(a) An LEA governing board and an LEA governing board's employees shall  
348 cooperate and share responsibility in carrying out the purposes of this chapter.

349 (b) An LEA governing board shall:

350 (i)(A) ~~[-]~~provide appropriate professional development for the LEA governing  
351 board's teachers, counselors, and school administrators to enable the teachers,  
352 counselors, and school administrators to understand, protect, and properly  
353 instruct students in the values and character traits referred to in this section and  
354 Sections 53E-9-202, 53E-9-203, 53G-10-202, 53G-10-203, 53G-10-204, and  
355 53G-10-205~~[-]~~ ; and~~[-]~~

356 (B) distribute appropriate written materials on the values, character traits, and  
357 conduct described in Subsection (7)(b)(i) to each individual receiving the  
358 professional development~~[-]~~ ; and

359 ~~[(e)]~~ (ii) ~~[An LEA governing board shall]~~make the written materials described in  
360 Subsection (7)(b) available to classified employees, students, and students' parents.

361 ~~[(d)]~~ (c) ~~[In order to]~~ To assist an LEA governing board in providing the professional  
362 development required under Subsection (7)(b), the state board shall, as appropriate,  
363 contract with a qualified individual or entity possessing expertise in the areas [  
364 ~~referred to]~~ described in Subsection (7)(b) to develop and disseminate model teacher  
365 professional development programs that an LEA governing board may use to train  
366 the individuals ~~[referred to]~~ described in Subsection (7)(b) to effectively teach the  
367 values and qualities of character ~~[refereneed]~~ described in Subsection (7)(b).

368 ~~[(e)]~~ (d) In accordance with ~~[the provisions of]~~Subsection (5)(c), professional

369 development may not support or encourage criminal conduct.

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

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

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

375 (i) teen pregnancy;

376 (ii) child sexual abuse; and

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

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

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

384 Section 6. Section **53G-10-403** is amended to read:

385 **53G-10-403 (Effective 07/01/26). Required parental consent for sex education**  
386 **instruction.**

387 (1) As used in this section:

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

392 (A) sexual abstinence;

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

394 (C) human [~~reproduction~~] reproductive processes, including conception, fetal  
395 development, pregnancy, and birth;

396 (D) human reproductive anatomy[;] and

397 [~~(E)~~] physiology;

398 [~~(F)~~] pregnancy;

399 [~~(G)~~] (E) healthy dating practices, marriage, and parenthood, in accordance with  
400 the success sequence as defined in Section 53G-10-402;

401 [~~(H)~~] childbirth;

402 [~~(I)~~] parenthood;

- 403 (F) adoption in accordance with Section 53G-10-404;
- 404 ~~[(J)]~~ (G) information about contraceptive methods or devices in
- 405 accordance with Subsections 53G-10-402(2)(b) and (c);
- 406 ~~[(K) HIV/AIDS;]~~
- 407 ~~[(L)]~~ (H) chronic, infectious, and acute diseases and conditions of the reproductive
- 408 system, including sexually transmitted infections and diseases; or
- 409 ~~[(M)]~~ (I) refusal skills, as defined in Section 53G-10-402.
- 410 (ii) "Sex education instruction" does not include:
- 411 (A) child sexual abuse prevention instruction described in Section 53G-9-207[-] ; or
- 412 (B) instruction in refusal skills or situational awareness, as those terms are defined
- 413 in Section 53G-10-402.
- 414 (b) "School" means the same as that term is defined in Section 53G-10-205.
- 415 (2)(a) A school shall obtain prior written consent from a student's parent before the
- 416 school may provide sex education instruction to the student.
- 417 (b) A school may not provide:
- 418 (i) sex education instruction to a student without the prior written consent described
- 419 in Subsection (2)(a); or
- 420 (ii) any instruction related to sex that is not:
- 421 (A) described in the definition of sex education and subject to the prior written
- 422 consent described in Subsection (2)(a); or
- 423 (B) otherwise provided for or described in Section 53G-10-402.
- 424 (3) If a student's parent chooses not to have the student participate in sex education
- 425 instruction, a school shall:
- 426 (a) waive the requirement for the student to participate in the sex education instruction;
- 427 or
- 428 (b) provide the student with a reasonable alternative to the sex education instruction
- 429 requirement that does not include the content described in Subsection (1)(a).
- 430 (4) In cooperation with the student's teacher or school, a parent ~~[shall take responsibility for~~
- 431 ~~the parent's student's-]~~ is responsible for the sex education instruction of the parent's
- 432 student if a school:
- 433 (a) waives the student's sex education instruction requirement ~~[in]~~ under Subsection (3)(a);
- 434 or
- 435 (b) provides the student with a reasonable alternative to the sex education instruction
- 436 requirement ~~[described in]~~ under Subsection (3)(b).

437 (5) A school, an LEA governing board, or the state board may not penalize a student's  
438 academic or citizenship performance [~~may not be penalized~~]if the student's parent  
439 chooses not to have the student participate in sex education instruction as described in  
440 Subsection (3).

441 Section 7. **Effective Date.**

442 (1) Except as provided in Subsection (2), this bill takes effect July 1, 2025.

443 (2) The actions affecting the following sections take effect on July 1, 2026:

444 (a) Section 53G-10-402 (Effective 07/01/26); and

445 (b) Section 53G-10-403 (Effective 07/01/26).