

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

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

40

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 (1) Except as provided in Subsection (2), before a health care provider, as defined in

45 Section 58-80a-102, may provide or facilitate a health care service that is not

46 traditionally available to a student in a public school, the health care provider shall

47 obtain the informed written consent of the student's parent for the health care service.

48 (2) This section does not apply to a service through the SafeUT Crisis Line established in

49 Section 53B-17-1202.

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

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

52 **53G-9-901 (Effective 07/01/25). Definitions.**

53 As used in this part:

54 (1)(a) "In-school mental health therapy" means a therapy, therapeutic strategy, or other

55 mental health counseling that takes place in a school setting and includes:

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

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

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

59 (iv) psychoanalysis;

60 (v) psychotherapy;

61 (vi) hypnotherapy; or

62 (vii) neuropsychology.

- 63 (b) "In-school mental health therapy" does not include:
64 (i) describing basic stress-management strategies;
65 (ii) informing students and parents of the availability of in-school mental health
66 therapy; or
67 (iii) engaging in generalized crisis response, which does not include one-on-one
68 counseling or therapy, in accordance with the state board's or the LEA's crisis
69 response protocols.
- 70 (2) "School-based mental health therapist" means an individual:
71 (a) who holds:
72 (i) a license as a mental health therapist as defined in Section 58-60-102;
73 (ii) a license or certification under Title 58, Chapter 60, Part 6, Behavioral Health
74 Coach and Technician Licensing Act;
75 (iii) a license from the state board as a school social worker, as defined in Section
76 53F-5-218; or
77 (iv) a license from the state board as a school psychologist, as defined in Section
78 53F-5-218; and
79 (b) whom an LEA or school employs, engages by contract, or engages by agreement, to
80 support students' mental health through in-school mental health therapy in
81 accordance with the scope of the individual's license or certification described in
82 Subsection (2)(a).

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

84 **53G-9-902 (Effective 07/01/25). Parental consent required -- Parental**
85 **notification required.**

- 86 (1) Except as provided in a student's IEP or 504 plan:
87 (a) an individual who is not a school-based mental health therapist may not provide
88 in-school mental health therapy; and
89 (b) an individual may not provide in-school mental health therapy in a traditional
90 general education classroom setting with other students present in the classroom.
- 91 (2) For a school-based mental health therapist to provide in-school mental health therapy:
92 (a) the relevant LEA, school, or school-based mental health therapist shall obtain written
93 parental consent before the first session of in-school mental health therapy in a given
94 school year; and
95 (b) unless the student's parent opts out of receiving notifications from the school-based
96 mental health therapist under this Subsection (2)(b), within one business day after

97 each session of in-school mental health therapy, the school-based mental health
98 therapist shall provide to the student's parent:

99 (i) notice that the session took place; and

100 (ii) a description of the topic of the therapy.

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

102 the LEA, school, or school-based mental health therapist shall, through

103 consultation with the parent, provide the parent an opportunity to identify topics

104 or issues the parent intends a school-based mental health therapist to address or to

105 not address with the student.

106 (ii) A school-based mental health therapist may not address a topic or issue for which

107 a parent has expressly stated an intent for the therapist to not address with the

108 student under this Subsection (3)(a).

109 (iii) Notwithstanding Subsections (3)(a)(i) and (3)(a)(ii), if a student reports

110 information that creates a duty on the school-based mental health therapist to

111 make a report for the following, the therapist may discuss the information with the

112 student to the extent necessary to make the mandatory report:

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

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

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

116 (b)(i) The requirement to obtain prior written parental consent before providing

117 in-school mental health therapy described in Subsection (2)(a) does not apply in a

118 case in which a delay to contact a parent would create an immediate serious risk

119 of suicide or serious bodily injury, as defined in Section 76-1-101.5, to the student

120 or to another individual.

121 (ii) For a circumstance described in Subsection (3)(b)(i), the LEA, school, or

122 school-based mental health therapist shall notify a parent in accordance with

123 Section 53G-9-604.

124 (c) A student's IEP or 504 plan that includes in-school mental health therapy satisfies the

125 parental consent requirement described in Subsection (2)(a).

126 (4)(a) The state board may make rules, in accordance with Title 63G, Chapter 3, Utah

127 Administrative Rulemaking Act, regarding the application of this section to the

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

129 (b) The state board shall, in consultation with the Department of Health and Human

130 Services, provide guidance to school-based mental health therapists, educators, and

131 school support staff on conduct and practices that constitute and do not constitute
 132 in-school mental health therapy.

133 (5) Nothing in this part authorizes an individual to take an action that exceeds the scope of
 134 the individual's license or certification.

135 (6) This section does not apply to a service a student accesses through the SafeUT Crisis
 136 Line established in Section 53B-17-1202.

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

138 **53G-10-202 (Effective 07/01/25). Maintaining constitutional freedom in the**
 139 **public schools.**

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

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

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

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

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

158 **53G-10-402 (Effective 07/01/26). Instruction in health -- Parental consent**
 159 **requirements -- Conduct and speech of school employees and volunteers -- Political and**
 160 **religious doctrine prohibited.**

161 (1) As used in this section:

162 (a) "LEA governing board" means a local school board or charter school governing
 163 board.

164 (b) "Refusal skills" means instruction:

- 165 (i) in a student's ability to clearly and expressly refuse sexual advances by a minor or
 166 adult;
- 167 (ii) in a student's obligation to stop the student's sexual advances if refused by another
 168 individual;
- 169 (iii) informing a student of the student's right to report and seek counseling for
 170 unwanted sexual advances; and
- 171 ~~[(iv) in sexual harassment; and]~~
- 172 ~~[(v)]~~ (iv) informing a student that a student may not consent to criminally prohibited
 173 activities or activities for which the student is legally prohibited from giving
 174 consent, including the electronic transmission of sexually explicit images by an
 175 individual, regardless of whether the image is of the individual who transmits the
 176 image or of another individual.
- 177 (c) "Situational awareness" means instruction in a student's ability to:
- 178 (i) observe the student's environment, including:
- 179 (A) increasing awareness; and
- 180 (B) noticing details and changes in the environment; and
- 181 (ii) respond in unsafe situations, including how to seek help.
- 182 (d) "Success sequence" means a three-prong framework for youth and young adults that
 183 encourages:
- 184 (i) completing at least a high school education and pursuing further educational
 185 opportunities;
- 186 (ii) obtaining full-time employment; and
- 187 (iii) marrying before having children.
- 188 ~~[(2)(a) The state board shall establish curriculum requirements under Section 53E-3-501~~
 189 ~~that include instruction in:]~~
- 190 ~~[(i) community and personal health;]~~
- 191 ~~[(ii) physiology;]~~
- 192 ~~[(iii) personal hygiene;]~~
- 193 ~~[(iv) prevention of communicable disease;]~~
- 194 ~~[(v) refusal skills; and]~~
- 195 ~~[(vi) the harmful effects of pornography.]~~
- 196 ~~[(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
 197 ~~state board shall make rules that, and instruction shall:]~~
- 198 ~~[(i) stress the importance of abstinence from all sexual activity before marriage and~~

- 199 fidelity after marriage as methods for preventing certain communicable diseases;]
200 [(ii) stress personal skills that encourage individual choice of abstinence and fidelity;]
201 [(iii) prohibit instruction in:]
202 [(A) the intricacies of intercourse, sexual stimulation, or erotic behavior;]
203 [(B) the advocacy of premarital or extramarital sexual activity; or]
204 [(C) the advocacy or encouragement of the use of contraceptive methods or
205 devices; and]
206 [(iv) except as provided in Subsection (2)(d), allow instruction to include information
207 about contraceptive methods or devices that stresses effectiveness, limitations,
208 risks, and information on state law applicable to minors obtaining contraceptive
209 methods or devices.]
210 [(e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
211 state board shall make rules for an LEA governing board that adopts instructional
212 materials under Subsection (2)(g)(ii) that:]
213 [(i) require the LEA governing board to report on the materials selected and the LEA
214 governing board's compliance with Subsection (2)(h); and]
215 [(ii) provide for an appeal and review process of the LEA governing board's adoption
216 of instructional materials.]
217 [(d) The state board may not require an LEA to teach or adopt instructional materials
218 that include information on contraceptive methods or devices.]
219 [(e)(i) At no time may instruction be provided, including responses to spontaneous
220 questions raised by students, regarding any means or methods that facilitate or
221 encourage the violation of any state or federal criminal law by a minor or an adult.]
222 [(ii) Subsection (2)(e)(i) does not preclude an instructor from responding to a
223 spontaneous question as long as the response is consistent with the provisions of
224 this section.]
225 [(f) The state board shall recommend instructional materials for use in the curricula
226 required under Subsection (2)(a).]
227 [(g) An LEA governing board may choose to adopt:]
228 [(i) the instructional materials recommended under Subsection (2)(f); or]
229 [(ii) other instructional materials in accordance with Subsection (2)(h).]
230 [(h) An LEA governing board that adopts instructional materials under Subsection
231 (2)(g)(ii) shall:]
232 [(i) ensure that the materials comply with state law and board rules;]

- 233 ~~[(ii) base the adoption of the materials on the recommendations of the LEA~~
 234 ~~governing board's Curriculum Materials Review Committee;]~~
- 235 ~~[(iii) adopt the instructional materials in an open and regular meeting of the LEA~~
 236 ~~governing board for which prior notice is given to parents of students who attend~~
 237 ~~the respective schools; and]~~
- 238 ~~[(iv) give parents an opportunity to express the parents' views and opinions on the~~
 239 ~~materials at the meeting described in Subsection (2)(h)(iii).]~~
- 240 (2)(a) In accordance with Section 53E-3-501, the state board shall establish health
 241 curriculum requirements:
- 242 (i) for the purpose of:
- 243 (A) equipping students with practical safety skills regarding sexual abuse,
 244 trafficking, and harassment;
- 245 (B) promoting respect for humankind and individual responsibility;
- 246 (C) fostering character development and decision making through the success
 247 sequence; and
- 248 (D) encouraging healthy personal and family relationships; and
- 249 (ii) that include instruction in:
- 250 (A) the success sequence;
- 251 (B) community and personal health, including personal hygiene and the
 252 prevention of communicable disease;
- 253 (C) physiology;
- 254 (D) human development;
- 255 (E) marriage and safe dating practices;
- 256 (F) refusal skills;
- 257 (G) resilience;
- 258 (H) situational awareness;
- 259 (I) the harmful effects of pornography; and
- 260 (J) the consequences of behaviors that pose a risk to individual health or of failure
 261 under the success sequence.
- 262 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 263 state board shall make rules that:
- 264 (i) ensure that instruction stresses the importance of abstinence from all sexual
 265 activity before marriage and fidelity after marriage as methods for:
- 266 (A) maintaining mental, physical, and social health, including reducing stress;

- 267 (B) eliminating risks associated with sexual activity, including preventing
268 pregnancy and certain communicable diseases; and
- 269 (C) achieving the success sequence;
- 270 (ii) ensure that instruction stresses personal skills that encourage abstinence, the
271 return to abstinence, and fidelity;
- 272 (iii) prohibit instruction or discussion, regardless of parental consent or intent to
273 receive the prohibited instruction, in or regarding:
- 274 (A) the intricacies of sexual stimulation or erotic behavior;
275 (B) the advocacy of premarital or extramarital sexual activity;
276 (C) the advocacy or encouragement of the use of contraceptive methods or
277 devices; and
- 278 (D) any means or methods that facilitate or encourage the violation of any state or
279 federal criminal law by a minor or an adult, including as a response to a
280 spontaneous question from a student; and
- 281 (iv) subject to Subsection (2)(c), allow instruction to include information about
282 contraceptive methods or devices, not including abortion or any abortive methods,
283 that stresses effectiveness, failure rates for youth, limitations, risks, and
284 information on state law applicable to minors obtaining contraceptive methods or
285 devices.
- 286 (c)(i) As used in this Subsection (2), "contraceptive methods or devices" does not
287 include abortion or any abortive methods.
- 288 (ii) Notwithstanding the allowance for instruction about contraceptive methods or
289 devices in Subsection (2)(b):
- 290 (A) the state board may not require an LEA to teach or adopt instructional
291 materials that include information on contraceptive methods or devices; and
- 292 (B) the instruction may not demonstrate or otherwise depict the use of a
293 contraceptive method or device.
- 294 (d) The state board shall:
- 295 (i) recommend instructional materials for use in the curricula required under
296 Subsection (2)(a); and
- 297 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
298 make rules for an LEA governing board that adopts alternative instructional
299 materials under Subsection (2)(e) to:
- 300 (A) require the LEA governing board to report on the materials the governing

301 board selects and the governing board's compliance with Subsection (2)(e); and
 302 (B) provide for an appeal and review process of the LEA governing board's
 303 adoption of instructional materials.

304 (e)(i) An LEA governing board may choose to adopt:

305 (A) the instructional materials recommended under Subsection (2)(d); or
 306 (B) alternative instructional materials in accordance with Subsection (2)(e)(ii).

307 (ii) An LEA governing board that adopts instructional materials under Subsection
 308 (2)(e)(i) shall:

309 (A) ensure that the materials comply with state law and state board rules;

310 (B) base the adoption of the materials on the recommendations of the LEA
 311 governing board's Curriculum Materials Review Committee;

312 (C) adopt the instructional materials in an open and regular meeting of the LEA
 313 governing board for which parents of students who attend the respective
 314 schools receive prior notice; and

315 (D) give parents an opportunity to express the parents' views and opinions on the
 316 materials at the meeting described in Subsection (2)(e)(ii)(C).

317 (f) At the request of the state board, the Department of Health and Human Services shall
 318 provide recommendations to the state board as the state board develops the
 319 curriculum, rules, or programs described in this Subsection (2).

320 (3)(~~a~~) A student shall receive the instruction [~~in the courses~~] described in Subsection
 321 (2) on at least two occasions [~~during the period that begins with~~] between the
 322 beginning of grade [8] 7 and the end of grade 12.

323 [~~(b) At the request of the state board, the Department of Health and Human Services~~
 324 ~~shall cooperate with the state board in developing programs to provide instruction in~~
 325 ~~those areas.~~]

326 (4)(a) The state board shall [~~adopt~~] , in accordance with Title 63G, Chapter 3, Utah
 327 Administrative Rulemaking Act, make rules that:

328 (i) provide [~~that~~] for the compliance with the parental consent requirements of
 329 Sections 76-7-322 [~~and 76-7-323 are complied with~~]; and

330 (ii) require advance notice to a student's parent [~~to be notified in advance and have~~]
 331 that provides an opportunity to review the information for which parental consent
 332 is required under Sections 76-7-322 and 76-7-323.

333 (b) The state board shall [~~also~~] provide procedures for disciplinary action for violation of
 334 Section 76-7-322 or 76-7-323.

- 335 (5)(a) In [~~keeping with the requirements of~~] accordance with Section 53G-10-204 and
 336 Subsection (2)(b)(iii), and because school employees and volunteers serve as
 337 examples to students, school employees or volunteers acting in an official capacity
 338 may not support or encourage criminal conduct by students, teachers, or volunteers.
- 339 (b) To ensure the effective performance of school personnel, the limitations described in
 340 Subsection (5)(a) also apply to a school employee or volunteer acting outside of the
 341 school employee's or volunteer's official capacity if:
- 342 (i) the employee or volunteer knew or should have known that the employee's or
 343 volunteer's action could result in a material and substantial interference or
 344 disruption in the normal activities of the school; and
- 345 (ii) [~~that~~] the employee's or volunteer's action [~~does result~~] results in a material and
 346 substantial interference or disruption in the normal activities of the school.
- 347 (c) The state board or an LEA governing board may not allow training of school
 348 employees or volunteers that [~~support~~] supports or [~~encourage~~] encourages criminal
 349 conduct.
- 350 (d) The state board shall [~~adopt~~], in accordance with Title 63G, Chapter 3, Utah
 351 Administrative Rulemaking Act, make rules implementing this [~~section~~] Subsection
 352 (5).
- 353 (e) Nothing in this section limits the ability or authority of the state board or an LEA
 354 governing board to enact and enforce rules or take actions that are otherwise lawful[;]
 355 regarding an educator's, employee's, or volunteer's qualifications or behavior
 356 evidencing unfitness for duty.
- 357 (6) Except as provided in Section 53G-10-202, an individual may not teach or provide
 358 instruction on political, atheistic, sectarian, religious, or denominational doctrine [~~may~~
 359 ~~not be taught~~] in the public schools.
- 360 (7)(a) An LEA governing board and an LEA governing board's employees shall
 361 cooperate and share responsibility in carrying out the purposes of this chapter.
- 362 (b) An LEA governing board shall:
- 363 (i)(A) [~~-~~]provide appropriate professional development for the LEA governing
 364 board's teachers, counselors, and school administrators to enable the teachers,
 365 counselors, and school administrators to understand, protect, and properly
 366 instruct students in the values and character traits referred to in this section and
 367 Sections 53E-9-202, 53E-9-203, 53G-10-202, 53G-10-203, 53G-10-204, and
 368 53G-10-205[;] ; and[~~-~~]

- 369 (B) distribute appropriate written materials on the values, character traits, and
 370 conduct described in Subsection (7)(b)(i) to each individual receiving the
 371 professional development~~[-]~~ ; and
- 372 ~~[(e)]~~ (ii) ~~[An LEA governing board shall]~~ make the written materials described in
 373 Subsection (7)(b) available to classified employees, students, and students' parents.
- 374 ~~[(d)]~~ (c) ~~[In order to]~~ To assist an LEA governing board in providing the professional
 375 development required under Subsection (7)(b), the state board shall, as appropriate,
 376 contract with a qualified individual or entity possessing expertise in the areas [
 377 ~~referred to]~~ described in Subsection (7)(b) to develop and disseminate model teacher
 378 professional development programs that an LEA governing board may use to train
 379 the individuals [~~referred to]~~ described in Subsection (7)(b) to effectively teach the
 380 values and qualities of character [~~refereneed]~~ described in Subsection (7)(b).
- 381 ~~[(e)]~~ (d) In accordance with [~~the provisions of]~~ Subsection (5)(c), professional
 382 development may not support or encourage criminal conduct.
- 383 (8) An LEA governing board shall review every two years:
- 384 (a) LEA governing board policies on instruction described in this section;
- 385 (b) for a local school board, data for each county [~~that]~~ in which the school district is
 386 located~~[-in]~~, or, for a charter school governing board, data for the county in which the
 387 charter school is located, on the following:
- 388 (i) teen pregnancy;
- 389 (ii) child sexual abuse; and
- 390 (iii) sexually transmitted diseases and sexually transmitted infections; and
- 391 (c) the number of pornography complaints or other instances reported within the
 392 jurisdiction of the LEA governing board.
- 393 (9) If any one or more provision, subsection, sentence, clause, phrase, or word of this
 394 section, or the application thereof to any person or circumstance, is found to be
 395 unconstitutional, the balance of this section shall be given effect without the invalid
 396 provision, subsection, sentence, clause, phrase, or word.
- 397 Section 6. Section **53G-10-403** is amended to read:
- 398 **53G-10-403 (Effective 07/01/26). Required parental consent for sex education**
 399 **instruction.**
- 400 (1) As used in this section:
- 401 (a)(i) "Sex education instruction" means, for the purpose of the parental consent
 402 requirement in this section, any course material, unit, class, lesson, activity, or

- 403 presentation that, as the focus of the discussion, provides instruction or
 404 information to a student about:
- 405 (A) sexual abstinence;
 - 406 (B) human ~~[sexuality]~~ development, including puberty and maturation;
 - 407 (C) human ~~[reproduction]~~ reproductive processes, including conception, fetal
 408 development, pregnancy, and birth;
 - 409 (D) human reproductive anatomy[;] and
 410 [~~(E)~~] physiology;
 - 411 [~~(F)~~ pregnancy;]
 - 412 [~~(G)~~] (E) healthy dating practices, marriage, and parenthood, in accordance with
 413 the success sequence as defined in Section 53G-10-402;
 - 414 [~~(H)~~ childbirth;]
 - 415 [~~(I)~~ parenthood;]
 - 416 (F) adoption in accordance with Section 53G-10-404;
 - 417 [~~(J)~~] (G) [~~contraception~~] information about contraceptive methods or devices in
 418 accordance with Subsections 53G-10-402(2)(b) and (c);
 - 419 [~~(K)~~ HIV/AIDS;]
 - 420 [~~(L)~~] (H) chronic, infectious, and acute diseases and conditions of the reproductive
 421 system, including sexually transmitted infections and diseases; or
 - 422 [~~(M)~~] (I) refusal skills, as defined in Section 53G-10-402.
- 423 (ii) "Sex education instruction" does not include:
- 424 (A) child sexual abuse prevention instruction described in Section 53G-9-207[-] ; or
 - 425 (B) instruction in refusal skills or situational awareness, as those terms are defined
 426 in Section 53G-10-402.
- 427 (b) "School" means the same as that term is defined in Section 53G-10-205.
- 428 (2)(a) A school shall obtain prior written consent from a student's parent before the
 429 school may provide sex education instruction to the student.
- 430 (b) A school may not provide:
- 431 (i) sex education instruction to a student without the prior written consent described
 432 in Subsection (2)(a); or
 - 433 (ii) any instruction related to sex that is not:
 - 434 (A) described in the definition of sex education and subject to the prior written
 435 consent described in Subsection (2)(a); or
 - 436 (B) otherwise provided for or described in Section 53G-10-402.

- 437 (3) If a student's parent chooses not to have the student participate in sex education
438 instruction, a school shall:
- 439 (a) waive the requirement for the student to participate in the sex education instruction;
440 or
- 441 (b) provide the student with a reasonable alternative to the sex education instruction
442 requirement that does not include the content described in Subsection (1)(a).
- 443 (4) In cooperation with the student's teacher or school, a parent [~~shall take responsibility for~~
444 ~~the parent's student's~~] is responsible for the sex education instruction of the parent's
445 student if a school:
- 446 (a) waives the student's sex education instruction requirement [~~in~~] under Subsection (3)(a);
447 or
- 448 (b) provides the student with a reasonable alternative to the sex education instruction
449 requirement [~~described in~~] under Subsection (3)(b).
- 450 (5) A school, an LEA governing board, or the state board may not penalize a student's
451 academic or citizenship performance [~~may not be penalized~~] if the student's parent
452 chooses not to have the student participate in sex education instruction as described in
453 Subsection (3).

454 Section 7. **Effective Date.**

- 455 (1) Except as provided in Subsection (2), this bill takes effect July 1, 2025.
- 456 (2) The actions affecting the following sections take effect on July 1, 2026:
- 457 (a) Section 53G-10-402 (Effective 07/01/26); and
- 458 (b) Section 53G-10-403 (Effective 07/01/26).