

Nicholeen P. Peck proposes the following substitute bill:

**Human Growth and Development Instruction**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Nicholeen P. Peck**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill expands on a requirement to provide instruction in human development.

**Highlighted Provisions:**

This bill:

- expands on a requirement to provide instruction in human development;
- requires an LEA to:
  - include certain videos during instruction on human growth and development;
  - make instructional materials available to a student's parent upon request; and
  - provide certain assurances to the State Board of Education (state board);
- requires the state board to publish a list of materials; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**53G-10-402**, as last amended by Laws of Utah 2025, Chapter 380

ENACTS:

**53G-10-308**, Utah Code Annotated 1953

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

Section 1. Section **53G-10-308** is enacted to read:

**53G-10-308 . Human growth and development instruction.**

(1) An LEA shall:

- 29 (a) provide instruction on human growth and development that includes, at a minimum,  
30 both of the following:  
31 (i) a high-definition ultrasound video, at least three minutes in duration, showing the  
32 development of the brain, heart, sex organs, and other vital organs in early fetal  
33 development; and  
34 (ii) a video, at least three minutes in duration, that:  
35 (A) an organization offers online, free of charge; and  
36 (B) shows the process of fertilization and each stage of human development inside  
37 the uterus, noting significant markers in cell growth and organ development for  
38 every stage of pregnancy until birth; and  
39 (b) provide the instruction described in Subsection (1)(a):  
40 (i) during the required instances of health instruction described in Subsection  
41 53G-10-402(3);  
42 (ii) in any child development course; and  
43 (iii) in any biology course.  
44 (2) Upon request, an LEA or school shall make available to the parent of a student enrolled  
45 in the LEA or school any instructional materials the LEA or school uses in accordance  
46 with this section.  
47 (3) The state board shall publish a list of materials the state board deems appropriate for  
48 providing instruction under this section on the state board's publicly accessible website.  
49 (4) Each LEA shall provide an annual assurance to the state board that the LEA is in  
50 compliance with this section.

51 Section 2. Section **53G-10-402** is amended to read:

52 **53G-10-402 . Instruction in health -- Parental consent requirements -- Conduct**  
53 **and speech of school employees and volunteers -- Political and religious doctrine**  
54 **prohibited.**

55 (1) As used in this section:

- 56 (a) "LEA governing board" means a local school board or charter school governing  
57 board.  
58 (b) "Refusal skills" means instruction:  
59 (i) in a student's ability to clearly and expressly refuse sexual advances by a minor or  
60 adult;  
61 (ii) in a student's obligation to stop the student's sexual advances if refused by another  
62 individual;

- 63 (iii) informing a student of the student's right to report and seek counseling for  
64 unwanted sexual advances; and
- 65 (iv) informing a student that a student may not consent to criminally prohibited  
66 activities or activities for which the student is legally prohibited from giving  
67 consent, including the electronic transmission of sexually explicit images by an  
68 individual, regardless of whether the image is of the individual who transmits the  
69 image or of another individual.
- 70 (c) "Situational awareness" means instruction in a student's ability to:
- 71 (i) observe the student's environment, including:
- 72 (A) increasing awareness; and
- 73 (B) noticing details and changes in the environment; and
- 74 (ii) respond in unsafe situations, including how to seek help.
- 75 (d) "Success sequence" means a three-prong framework for youth and young adults that  
76 encourages:
- 77 (i) completing at least a high school education and pursuing further educational  
78 opportunities;
- 79 (ii) obtaining full-time employment; and
- 80 (iii) having children within a healthy and stable family and marriage.
- 81 (2)(a) In accordance with Section 53E-3-501, the state board shall establish health  
82 curriculum requirements:
- 83 (i) for the purpose of:
- 84 (A) equipping students with practical safety skills regarding sexual abuse,  
85 trafficking, and harassment;
- 86 (B) promoting respect for humankind and individual responsibility;
- 87 (C) fostering character development and decision- making through the success  
88 sequence; and
- 89 (D) encouraging healthy personal and family relationships; and
- 90 (ii) that include instruction in:
- 91 (A) the success sequence;
- 92 (B) community and personal health, including personal hygiene and the  
93 prevention of communicable disease;
- 94 (C) physiology;
- 95 (D) human growth and development, including the requirements of Section  
96 53G-10-308;

- 97 (E) marriage and safe dating practices;  
98 (F) refusal skills;  
99 (G) resilience;  
100 (H) situational awareness;  
101 (I) the harmful effects of pornography; and  
102 (J) the consequences of behaviors that pose a risk to individual health or of failure  
103 under the success sequence.
- 104 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
105 state board shall make rules that:
- 106 (i) ensure that instruction stresses the importance of abstinence from all sexual  
107 activity before marriage and fidelity after marriage as methods for:
- 108 (A) maintaining mental, physical, and social health, including reducing stress;  
109 (B) eliminating risks associated with sexual activity, including preventing  
110 pregnancy and certain communicable diseases; and  
111 (C) achieving the success sequence;
- 112 (ii) ensure that instruction stresses personal skills that encourage abstinence, the  
113 return to abstinence, and fidelity;
- 114 (iii) prohibit instruction or discussion, regardless of parental consent or intent to  
115 receive the prohibited instruction, in or regarding:
- 116 (A) the intricacies of sexual stimulation or erotic behavior;  
117 (B) the advocacy of premarital or extramarital sexual activity;  
118 (C) the advocacy or encouragement of the use of contraceptive methods or  
119 devices; and  
120 (D) any means or methods that facilitate or encourage the violation of any state or  
121 federal criminal law by a minor or an adult, including as a response to a  
122 spontaneous question from a student; and
- 123 (iv) subject to Subsection (2)(c), allow instruction to include information about  
124 contraceptive methods or devices, not including abortion or any abortive methods,  
125 that stresses effectiveness, failure rates for youth, limitations, risks, and  
126 information on state law applicable to minors obtaining contraceptive methods or  
127 devices.
- 128 (c)(i) As used in this Subsection (2), "contraceptive methods or devices" does not  
129 include abortion or any abortive methods.
- 130 (ii) Notwithstanding the allowance for instruction about contraceptive methods or

- 131 devices in Subsection (2)(b):
- 132 (A) the state board may not require an LEA to teach or adopt instructional
- 133 materials that include information on contraceptive methods or devices; and
- 134 (B) the instruction may not demonstrate or otherwise depict the use of a
- 135 contraceptive method or device.
- 136 (d) The state board shall:
- 137 (i) recommend instructional materials for use in the curricula required under
- 138 Subsection (2)(a); and
- 139 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 140 make rules for an LEA governing board that adopts alternative instructional
- 141 materials under Subsection (2)(e) to:
- 142 (A) require the LEA governing board to report on the materials the governing
- 143 board selects and the governing board's compliance with Subsection (2)(e); and
- 144 (B) provide for an appeal and review process of the LEA governing board's
- 145 adoption of instructional materials.
- 146 (e)(i) An LEA governing board may choose to adopt:
- 147 (A) the instructional materials recommended under Subsection (2)(d); or
- 148 (B) alternative instructional materials in accordance with Subsection (2)(e)(ii).
- 149 (ii) An LEA governing board that adopts instructional materials under Subsection
- 150 (2)(e)(i) shall:
- 151 (A) ensure that the materials comply with state law and state board rules;
- 152 (B) base the adoption of the materials on the recommendations of the LEA
- 153 governing board's Curriculum Materials Review Committee;
- 154 (C) adopt the instructional materials in an open and regular meeting of the LEA
- 155 governing board for which parents of students who attend the respective
- 156 schools receive prior notice; and
- 157 (D) give parents an opportunity to express the parents' views and opinions on the
- 158 materials at the meeting described in Subsection (2)(e)(ii)(C).
- 159 (f) At the request of the state board, the Department of Health and Human Services shall
- 160 provide recommendations to the state board as the state board develops the
- 161 curriculum, rules, or programs described in this Subsection (2).
- 162 (3) A student shall receive the instruction described in Subsection (2) on at least two
- 163 occasions between the beginning of grade 7 and the end of grade 12.
- 164 (4)(a) The state board shall, in accordance with Title 63G, Chapter 3, Utah

- 165 Administrative Rulemaking Act, make rules that:
- 166 (i) provide for the compliance with the parental consent requirements of [~~Sections~~  
167 Section 76-7-322; and
- 168 (ii) require advance notice to a student's parent that provides an opportunity to review  
169 the information for which parental consent is required under Sections 76-7-322  
170 and 76-7-323.
- 171 (b) The state board shall provide procedures for disciplinary action for violation of  
172 Section 76-7-322 or 76-7-323.
- 173 (5)(a) In accordance with Section 53G-10-204 and Subsection (2)(b)(iii), and because  
174 school employees and volunteers serve as examples to students, school employees or  
175 volunteers acting in an official capacity may not support or encourage criminal  
176 conduct by students, teachers, or volunteers.
- 177 (b) To ensure the effective performance of school personnel, the limitations described in  
178 Subsection (5)(a) also apply to a school employee or volunteer acting outside of the  
179 school employee's or volunteer's official capacity if:
- 180 (i) the employee or volunteer knew or should have known that the employee's or  
181 volunteer's action could result in a material and substantial interference or  
182 disruption in the normal activities of the school; and
- 183 (ii) the employee's or volunteer's action results in a material and substantial  
184 interference or disruption in the normal activities of the school.
- 185 (c) The state board or an LEA governing board may not allow training of school  
186 employees or volunteers that supports or encourages criminal conduct.
- 187 (d) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative  
188 Rulemaking Act, make rules implementing this Subsection (5).
- 189 (e) Nothing in this section limits the ability or authority of the state board or an LEA  
190 governing board to enact and enforce rules or take actions that are otherwise lawful  
191 regarding an educator's, employee's, or volunteer's qualifications or behavior  
192 evidencing unfitness for duty.
- 193 (6) Except as provided in Section 53G-10-202, an individual may not teach or provide  
194 instruction on political, atheistic, sectarian, religious, or denominational doctrine in the  
195 public schools.
- 196 (7)(a) An LEA governing board and an LEA governing board's employees shall  
197 cooperate and share responsibility in carrying out the purposes of this chapter.
- 198 (b) An LEA governing board shall:

- 199 (i)(A) provide appropriate professional development for the LEA governing  
200 board's teachers, counselors, and school administrators to enable the teachers,  
201 counselors, and school administrators to understand, protect, and properly  
202 instruct students in the values and character traits referred to in this section and  
203 Sections 53E-9-202, 53E-9-203, 53G-10-202, 53G-10-203, 53G-10-204, and  
204 53G-10-205; and
- 205 (B) distribute appropriate written materials on the values, character traits, and  
206 conduct described in Subsection (7)(b)(i) to each individual receiving the  
207 professional development; and
- 208 (ii) make the written materials described in Subsection (7)(b) available to education  
209 support professionals, students, and students' parents.
- 210 (c) To assist an LEA governing board in providing the professional development  
211 required under Subsection (7)(b), the state board shall, as appropriate, contract with a  
212 qualified individual or entity possessing expertise in the areas described in  
213 Subsection (7)(b) to develop and disseminate model teacher professional  
214 development programs that an LEA governing board may use to train the individuals  
215 described in Subsection (7)(b) to effectively teach the values and qualities of  
216 character described in Subsection (7)(b).
- 217 (d) In accordance with Subsection (5)(c), professional development may not support or  
218 encourage criminal conduct.
- 219 (8) An LEA governing board shall review every two years:
- 220 (a) LEA governing board policies on instruction described in this section;
- 221 (b) for a local school board, data for each county in which the school district is located,  
222 or, for a charter school governing board, data for the county in which the charter  
223 school is located, on the following:
- 224 (i) teen pregnancy;
- 225 (ii) child sexual abuse; and
- 226 (iii) sexually transmitted diseases and sexually transmitted infections; and
- 227 (c) the number of pornography complaints or other instances reported within the  
228 jurisdiction of the LEA governing board.
- 229 (9) If any one or more provision, subsection, sentence, clause, phrase, or word of this  
230 section, or the application thereof to any person or circumstance, is found to be  
231 unconstitutional, the balance of this section shall be given effect without the invalid  
232 provision, subsection, sentence, clause, phrase, or word.

233           Section 3. **Effective Date.**  
234           This bill takes effect on July 1, 2026.