***Effective 1/24/2018***

# Part 4
# Health Curriculum Requirements

**53G-10-401 Definitions.**

Reserved

Enacted by Chapter 3, 2018 General Session

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

(1) As used in this section:

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

(b) "Refusal skills" means instruction:

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

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

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

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

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

(i) observe the student's environment, including:

(A) increasing awareness; and

(B) noticing details and changes in the environment; and

(ii) respond in unsafe situations, including how to seek help.

(d) "Success sequence" means a three-prong framework for youth and young adults that encourages:

(i) completing at least a high school education and pursuing further educational opportunities;

(ii) obtaining full-time employment; and

(iii) having children within a healthy and stable family and marriage.

(2)

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

(i) for the purpose of:

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

(B) promoting respect for humankind and individual responsibility;

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

(D) encouraging healthy personal and family relationships; and

(ii) that include instruction in:

(A) the success sequence;

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

(C) physiology;
(D) human development;
(E) marriage and safe dating practices;
(F) refusal skills;
(G) resilience;
(H) situational awareness;
(I) the harmful effects of pornography; and
(J) the consequences of behaviors that pose a risk to individual health or of failure under the success sequence.

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

(i) ensure that instruction stresses the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for:
(A) maintaining mental, physical, and social health, including reducing stress;
(B) eliminating risks associated with sexual activity, including preventing pregnancy and certain communicable diseases; and
(C) achieving the success sequence;

(ii) ensure that instruction stresses personal skills that encourage abstinence, the return to abstinence, and fidelity;

(iii) prohibit instruction or discussion, regardless of parental consent or intent to receive the prohibited instruction, in or regarding:
(A) the intricacies of sexual stimulation or erotic behavior;
(B) the advocacy of premarital or extramarital sexual activity;
(C) the advocacy or encouragement of the use of contraceptive methods or devices; and
(D) any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult, including as a response to a spontaneous question from a student; and

(iv) subject to Subsection (2)(c), allow instruction to include information about contraceptive methods or devices, not including abortion or any abortive methods, that stresses effectiveness, failure rates for youth, limitations, risks, and information on state law applicable to minors obtaining contraceptive methods or devices.

(c)

(i) As used in this Subsection (2), "contraceptive methods or devices" does not include abortion or any abortive methods.

(ii) Notwithstanding the allowance for instruction about contraceptive methods or devices in Subsection (2)(b):
(A) the state board may not require an LEA to teach or adopt instructional materials that include information on contraceptive methods or devices; and
(B) the instruction may not demonstrate or otherwise depict the use of a contraceptive method or device.

(d) The state board shall:

(i) recommend instructional materials for use in the curricula required under Subsection (2)(a); and

(ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules for an LEA governing board that adopts alternative instructional materials under Subsection (2)(e) to:
(A) require the LEA governing board to report on the materials the governing board selects and the governing board's compliance with Subsection (2)(e); and

(B) provide for an appeal and review process of the LEA governing board's adoption of instructional materials.

(e)

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

(A) the instructional materials recommended under Subsection (2)(d); or

(B) alternative instructional materials in accordance with Subsection (2)(e)(ii).

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

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

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

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

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

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

(3) A student shall receive the instruction described in Subsection (2) on at least two occasions between the beginning of grade 7 and the end of grade 12.

(4)

(a) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that:

(i) provide for the compliance with the parental consent requirements of Sections 76-7-322; and

(ii) require advance notice to a student's parent that provides an opportunity to review the information for which parental consent is required under Sections 76-7-322 and 76-7-323.

(b) The state board shall provide procedures for disciplinary action for violation of Section 76-7-322 or 76-7-323.

(5)

(a) In accordance with Section 53G-10-204 and Subsection (2)(b)(iii), and because school employees and volunteers serve as examples to students, school employees or volunteers acting in an official capacity may not support or encourage criminal conduct by students, teachers, or volunteers.

(b) To ensure the effective performance of school personnel, the limitations described in Subsection (5)(a) also apply to a school employee or volunteer acting outside of the school employee's or volunteer's official capacity if:

(i) the employee or volunteer knew or should have known that the employee's or volunteer's action could result in a material and substantial interference or disruption in the normal activities of the school; and

(ii) the employee's or volunteer's action results in a material and substantial interference or disruption in the normal activities of the school.

(c) The state board or an LEA governing board may not allow training of school employees or volunteers that supports or encourages criminal conduct.

(d) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules implementing this Subsection (5).

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

(6) Except as provided in Section 53G-10-202, an individual may not teach or provide instruction on political, atheistic, sectarian, religious, or denominational doctrine in the public schools.
(7)
(a) An LEA governing board and an LEA governing board's employees shall cooperate and share responsibility in carrying out the purposes of this chapter.
(b) An LEA governing board shall:
(i)
(A) provide appropriate professional development for the LEA governing board's teachers, counselors, and school administrators to enable the teachers, counselors, and school administrators to understand, protect, and properly instruct students in the values and character traits referred to in this section and Sections 53E-9-202, 53E-9-203, 53G-10-202, 53G-10-203, 53G-10-204, and 53G-10-205; and
(B) distribute appropriate written materials on the values, character traits, and conduct described in Subsection (7)(b)(i) to each individual receiving the professional development; and
(ii) make the written materials described in Subsection (7)(b) available to education support professionals, students, and students' parents.
(c) To assist an LEA governing board in providing the professional development required under Subsection (7)(b), the state board shall, as appropriate, contract with a qualified individual or entity possessing expertise in the areas described in Subsection (7)(b) to develop and disseminate model teacher professional development programs that an LEA governing board may use to train the individuals described in Subsection (7)(b) to effectively teach the values and qualities of character described in Subsection (7)(b).
(d) In accordance with Subsection (5)(c), professional development may not support or encourage criminal conduct.
(8) An LEA governing board shall review every two years:
(a) LEA governing board policies on instruction described in this section;
(b) for a local school board, data for each county in which the school district is located, or, for a charter school governing board, data for the county in which the charter school is located, on the following:
(i) teen pregnancy;
(ii) child sexual abuse; and
(iii) sexually transmitted diseases and sexually transmitted infections; and
(c) the number of pornography complaints or other instances reported within the jurisdiction of the LEA governing board.
(9) If any one or more provision, subsection, sentence, clause, phrase, or word of this section, or the application thereof to any person or circumstance, is found to be unconstitutional, the balance of this section shall be given effect without the invalid provision, subsection, sentence, clause, phrase, or word.

Amended by Chapter 380, 2025 General Session

**53G-10-403 Required parental consent for sex education instruction.**
(1) As used in this section:
(a)
(i) "Sex education instruction" means, for the purpose of the parental consent requirement in this section, any course material, unit, class, lesson, activity, or presentation that, as the focus of the discussion, provides instruction or information to a student about:

(A) sexual abstinence;
(B) human development, including puberty and maturation;
(C) human reproductive processes, including conception, fetal development, pregnancy, and birth;
(D) human reproductive anatomy and physiology;
(E) healthy dating practices, marriage, and parenthood, in accordance with the success sequence as defined in Section 53G-10-402;
(F) adoption in accordance with Section 53G-10-404;
(G) information about contraceptive methods or devices in accordance with Subsections 53G-10-402(2)(b) and (c);
(H) chronic, infectious, and acute diseases and conditions of the reproductive system, including sexually transmitted infections and diseases; or
(I) refusal skills, as defined in Section 53G-10-402.

(ii) "Sex education instruction" does not include:
(A) child sexual abuse prevention instruction described in Section 53G-9-207; or
(B) instruction in refusal skills or situational awareness, as those terms are defined in Section 53G-10-402.

(b) "School" means the same as that term is defined in Section 53G-10-205.

(2)
(a) A school shall obtain prior written consent from a student's parent before the school may provide sex education instruction to the student.
(b) A school may not provide:
(i) sex education instruction to a student without the prior written consent described in Subsection (2)(a); or
(ii) any instruction related to sex that is not:
(A) described in the definition of sex education and subject to the prior written consent described in Subsection (2)(a); or
(B) otherwise provided for or described in Section 53G-10-402.

(3) If a student's parent chooses not to have the student participate in sex education instruction, a school shall:
(a) waive the requirement for the student to participate in the sex education instruction; or
(b) provide the student with a reasonable alternative to the sex education instruction requirement that does not include the content described in Subsection (1)(a).

(4) In cooperation with the student's teacher or school, a parent is responsible for the sex education instruction of the parent's student if a school:
(a) waives the student's sex education instruction requirement under Subsection (3)(a); or
(b) provides the student with a reasonable alternative to the sex education instruction requirement under Subsection (3)(b).

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

Amended by Chapter 380, 2025 General Session

**53G-10-404 Adoption information.**

(1) For a school year beginning with or after the 2012-13 school year, a local school board shall ensure that an annual presentation on adoption is given to its secondary school students in

grades 7-12, so that each student receives the presentation at least once during grades 7-9 and at least once during grades 10-12.
(2) The presentation shall be made by a licensed teacher as part of the health education core.

Renumbered and Amended by Chapter 3, 2018 General Session

**53G-10-405 Instruction on the harmful effects of alcohol, tobacco, electronic cigarette products, and controlled substances -- Rulemaking authority -- Assistance from the Division of Substance Abuse and Mental Health.**

(1) The state board shall adopt rules providing for instruction at each grade level on the harmful effects of alcohol, tobacco, electronic cigarette products, and controlled substances upon the human body and society. The rules shall require instruction on the following:
  (a) teaching of skills needed to evaluate advertisements for, and media portrayal of, alcohol, tobacco, electronic cigarette products, and controlled substances;
  (b) directing students towards healthy and productive alternatives to the use of alcohol, tobacco, electronic cigarette products, and controlled substances; and
  (c) discouraging the use of alcohol, tobacco, electronic cigarette products, and controlled substances.
(2) At the request of the state board, the Division of Substance Abuse and Mental Health shall cooperate with the state board in developing programs to provide this instruction.
(3) The state board shall participate in efforts to enhance communication among community organizations and state agencies, and shall cooperate with those entities in efforts which are compatible with the purposes of this section.
(4) The state board shall establish a library of documented best practices and resources for alcohol, tobacco, and electronic cigarette product cessation interventions for use by local school districts.

Amended by Chapter 161, 2020 General Session

**53G-10-406 Underage Drinking and Substance Abuse Prevention Program -- State board rules.**

(1) As used in this section:
  (a) "Advisory council" means the Underage Drinking and Substance Abuse Prevention Program Advisory Council created in this section.
  (b) "Program" means the Underage Drinking and Substance Abuse Prevention Program created in this section.
  (c) "School-based prevention program" means an evidence-based program that:
    (i) is aimed at preventing underage consumption of alcohol and underage use of electronic cigarette products;
    (ii) is delivered by methods that engage students in storytelling and visualization;
    (iii) addresses the behavioral risk factors associated with underage drinking and use of electronic cigarette products; and
    (iv) provides practical tools to address the dangers of underage drinking and use of electronic cigarette products.
(2) There is created the Underage Drinking and Substance Abuse Prevention Program that consists of:
  (a) a school-based prevention program for students in grade 4 or 5;
  (b) a school-based prevention program for students in grade 7 or 8; and

(c) a school-based prevention program for students in grade 9 or 10 that increases awareness of the dangers of driving under the influence of alcohol.

(3)

(a) Beginning with the 2018-19 school year, an LEA shall offer the program each school year to each student in grade 7 or 8 and grade 9 or 10.

(b) In addition to Subsection (3)(a), beginning with the 2020-21 school year, an LEA shall offer the program each school year to each student in grade 4 or 5.

(c) An LEA shall select from the providers qualified by the state board under Subsection (6) to offer the program.

(4) The state board shall administer the program with input from the advisory council.

(5) There is created the Underage Drinking and Substance Abuse Prevention Program Advisory Council comprised of the following members:

(a) the executive director of the Department of Alcoholic Beverage Services or the executive director's designee;

(b) the executive director of the Department of Health and Human Services or the executive director's designee;

(c) the director of the Office of Substance Use and Mental Health or the director's designee;

(d) the director of the Division of Child and Family Services or the director's designee;

(e) the director of the Division of Juvenile Justice and Youth Services or the director's designee;

(f) the state superintendent or the state superintendent's designee; and

(g) two members of the state board, appointed by the chair of the state board.

(6)

(a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the state board shall qualify one or more providers to provide the program to an LEA.

(b) In selecting a provider described in Subsection (6)(a), the state board shall consider:

(i) whether the provider's program complies with the requirements described in this section;

(ii) the extent to which the provider's prevention program aligns with core standards for Utah public schools; and

(iii) the provider's experience in providing a program that is effective.

(7)

(a) The state board shall use money from the Underage Drinking and Substance Abuse Prevention Program Restricted Account described in Section 53F-9-304 for the program.

(b) The state board may use money from the Underage Drinking Prevention Program Restricted Account to fund up to .5 of a full-time equivalent position to administer the program.

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

(a) beginning with the 2018-19 school year, require an LEA to offer the Underage Drinking and Substance Abuse Prevention Program each school year to each student in grade 7 or 8 and grade 9 or 10;

(b) beginning with the 2020-21 school year, require an LEA to offer the Underage Drinking and Substance Abuse Prevention Program each school year to each student in grade 4 or 5; and

(c) establish criteria for the state board to use in selecting a provider described in Subsection (6).

Amended by Chapter 240, 2024 General Session

**53G-10-407 Positive behaviors plan -- Positive behaviors specialist stipend -- Reports.**

(1) As used in this section:

(a) "Positive behaviors plan" means a plan to address the causes of student use of tobacco, alcohol, electronic cigarette products, and other controlled substances through promoting positive behaviors.
(b) "Positive behaviors specialist" means an individual designated to administer a positive behaviors plan.
(2)
(a) A school principal shall:
(i) create a positive behaviors plan based on the input of students, parents, and staff; and
(ii) submit the positive behaviors plan to the LEA governing board for approval.
(b) A positive behaviors plan shall address issues including peer pressure, mental health, and creating meaningful relationships.
(c) A positive behaviors plan may include programs, clubs, service opportunities, and pro-social activities.
(3) Each LEA shall designate one or more employees as a positive behaviors specialist for each school to administer the positive behaviors plan.
(4)
(a) Subject to Subsection (4)(b) and Section 53F-2-525, the state board shall distribute annually to each school:
(i) $3,000 as a stipend for the positive behaviors specialists; and
(ii) $1,000 to administer the positive behaviors plan.
(b) Notwithstanding Subsection (4)(a), if funding is insufficient to cover the costs associated with the distributions, the state board may reduce the amount distributed.
(5)
(a) A positive behaviors specialist shall annually submit a written report to the LEA governing board detailing how the positive behaviors plan was implemented in the prior year.
(b) Except as provided in Subsection 53F-2-525(5), an LEA governing board shall submit an annual report to the state board confirming that each school under the governing board's jurisdiction has an approved positive behaviors plan.

Amended by Chapter 366, 2025 General Session

**53G-10-408 Cardiopulmonary resuscitation instruction -- Grant program.**
(1) As used in this section:
(a) "Board" means the State Board of Education.
(b) "Cardiopulmonary resuscitation" or "CPR" means artificial ventilation or external chest compression applied to a person who is unresponsive and not breathing.
(c) "Individualized education program" or "IEP" means the same as that term is defined in Section 53E-1-102.
(d) "Local education agency" or "LEA" means a school district or charter school that serves students in grade 9, 10, 11, or 12.
(e) "Psychomotor skills" means sequences of physical actions that are practiced in a manner that supports cognitive learning.
(2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and the requirements of this section, the board shall make rules to develop and implement CPR training as part of the core curriculum standards for instruction in health.
(3) The state board may consult with the American Heart Association, the American Red Cross, or other similar organizations to make the rules described in Subsection (2).
(4) Rules made under Subsection (2) shall include:

(a) a requirement that CPR training be based on current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation;
(b) except for a participant who is enrolled in an online-only school, a requirement that CPR training include the use of psychomotor skills with appropriate CPR training equipment; and
(c) a requirement that a student complete CPR training at least once during the period that begins with the beginning of grade 9 and ends at the end of grade 12, except as provided in Subsection (7).

(5) Beginning with the 2022-23 school year, and in accordance with the rules made under Subsection (2), an LEA shall offer CPR training for students.

(6) Rules made under Subsection (2) may not allow an LEA to issue a CPR certification to a student, but may allow a student to receive CPR certification from an individual who provides the CPR training if the individual is authorized to issue a CPR certification by the American Heart Association, American Red Cross, or other similar organization.

(7) A student is exempt from completing CPR training if:
(a) the student's parent or legal guardian requests that the student be exempt from CPR training;
(b) the student provides documentation to the LEA showing that the student has previously received CPR training or has a current CPR certification; or
(c) the student has an IEP and the CPR training is inconsistent with the IEP.

(8) An LEA may accept a donation of materials, equipment, or services related to CPR training if the materials, equipment, or services are in compliance with rules made pursuant to Subsection (2).

(9)
(a) There is created the CPR Training Grant Program.
(b) Subject to legislative appropriations, the board shall award grants to LEAs to provide the CPR training described in this section, which may include engaging a qualified CPR instructor or replacing materials and equipment used in CPR training.
(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board may make rules to establish:
(i) application and eligibility requirements for an LEA that seeks a grant under this section; or
(ii) specific materials or equipment that may be purchased using a grant awarded under this section.

Enacted by Chapter 292, 2022 General Session

**53G-10-409 Prohibition on instruction by an elective abortion provider or affiliate.**

(1) As used in this section:
(a) "Abortion" means the same as that term is defined in Section 76-7-301.
(b) "Affiliate" means an entity with a legal relationship to another entity, where the entities establish:
(i) common ownership, management, or control;
(ii) a franchise or similar agreement; or
(iii) a license agreement permitting the use of a brand name, trademark, service mark, or other identification.
(c) "Debranded maturation curriculum" means a puberty or maturation education program that excludes all corporate, organizational, or third-party branding, logos, sponsorships, or materials associated with an elective abortion entity.

(2) An LEA may not allow an entity employee, representative, or affiliate that performs elective abortions or provides debranded maturation curriculum to:

(a) deliver instruction or programs on all health or health related topics in a school that receives state funding; or

(b) provide materials or media on a health topic for distribution or display in a school that receives state funding, if the materials or media are created by, funded by, donated by, or bear the identifying mark of the entity or the entity's affiliate.

(3)

(a) In accordance with Section 53E-3-401, the state board may:

(i) impose a monetary penalty on an LEA that violates this section; and

(ii) withhold funds allocated under Title 53F, Chapter 2, State Funding -- Minimum School Program, for continued noncompliance.

(b) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer and enforce a penalty imposed under Subsection (3)(a).

Enacted by Chapter 374, 2025 General Session