

- 57 (iv) prevention of communicable disease;  
 58 (v) refusal skills; and  
 59 (vi) the harmful effects of pornography.

60 [~~(b)(i)~~ That instruction shall stress:]

61 (b) The state board shall make rules ~~§~~ that , ~~§~~ and ~~§~~ [state board] ~~§~~ instruction

61a ~~§~~ [recommended under

62 Subsection (2)(f)] ~~§~~ shall:

63 [~~(A)~~] (i) stress the importance of abstinence from all sexual activity before marriage  
 64 and fidelity after marriage as methods for preventing certain communicable diseases; [and]

65 [~~(B)~~] (ii) stress personal skills that encourage individual choice of abstinence and  
 66 fidelity[-];

67 (iii) prohibit instruction in:

68 (A) the intricacies of intercourse, sexual stimulation, or erotic behavior;

69 (B) the advocacy of premarital or extramarital sexual activity; or

70 (C) the advocacy or encouragement of the use of contraceptive methods or devices; and

71 (iv) ~~§~~ [subject to] except as provided in ~~§~~ Subsection (2)(d), allow instruction to  
 71a include information about

72 contraceptive methods or devices that stresses effectiveness, limitations, risks, and information  
 73 on state law applicable to minors obtaining contraceptive methods or devices.

74 (c) The state board shall make rules for an LEA governing board that adopts

75 instructional materials under Subsection (2)(g)(ii) that:

76 (i) require the LEA governing board to report on the materials selected and the LEA  
 77 governing board's compliance with Subsection (2)(h); and

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

80 (d) The state board may not require an LEA to teach or adopt instructional materials  
 81 that include information on contraceptive methods or devices.

82 [~~(ii)(A)~~] (e) (i) At no time may instruction be provided, including responses to  
 83 spontaneous questions raised by students, regarding any means or methods that facilitate or  
 84 encourage the violation of any state or federal criminal law by a minor or an adult.

85 [~~(B)~~] (ii) Subsection [(2)(b)(ii)(A)] (2)(e)(i) does not preclude an instructor from  
 86 responding to a spontaneous question as long as the response is consistent with the provisions  
 87 of this section.

88           ~~[(c)(i)]~~ (f) The board shall recommend instructional materials for use in the curricula  
 89 required under Subsection (2)(a) after considering evaluations of instructional materials by the  
 90 State Instructional Materials Commission.

91           ~~(ii)~~ (g) ~~[A local school]~~ An LEA governing board may choose to adopt:

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

93           ~~(B)~~ (ii) other instructional materials ~~[as provided in board rule]~~ in accordance with

94 Subsection (2) ~~§~~ → [(g)] (h) ← ~~§~~ .

95           ~~(iii)~~ ~~The board rule made under Subsection (2)(c)(ii)(B) shall include, at a minimum:]~~

96           ~~(A)~~ ~~that the materials adopted by a local school board under Subsection (2)(c)(ii)(B)~~

97 ~~shall be based upon recommendations of the school district's or charter school's Curriculum~~

98 ~~Materials Review Committee that comply with state law and board rules emphasizing~~

99 ~~abstinence before marriage and fidelity after marriage, and prohibiting instruction in:]~~

100           ~~(f)~~ ~~the intricacies of intercourse, sexual stimulation, or erotic behavior;]~~

101           ~~(H)~~ ~~the advocacy of premarital or extramarital sexual activity; or]~~

102           ~~(H)~~ ~~the advocacy or encouragement of the use of contraceptive methods or devices;]~~

103           (h) An LEA governing board that adopts instructional materials under Subsection

104 (2)(g)(ii) shall:

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

106           (ii) base the adoption of the materials on the recommendations of the LEA governing

107 board's Curriculum Materials Review Committee; and

108           ~~(B)~~ ~~(iii)~~ ~~[that the adoption of]~~ adopt the instructional materials ~~[shall take place]~~ in an

109 open and regular meeting of the ~~[local school]~~ LEA governing board for which prior notice is

110 given to parents of students attending the respective schools and an opportunity for parents to

111 express their views and opinions on the materials at the meeting[;].

112           ~~(C)~~ ~~provision for an appeal and review process of the local school board's decision;~~

113 ~~and]~~

114           ~~(D)~~ ~~provision for a report by the local school board to the board of the action taken~~

115 ~~and the materials adopted by the local school board under Subsections (2)(c)(ii)(B) and~~

116 ~~(2)(c)(iii):]~~

117           (3) (a) A student shall receive instruction in the courses described in Subsection (2) on

118 at least two occasions during the period that begins with the beginning of grade 8 and the end