

Enrolled
House Bill 2509

Sponsored by COMMITTEE ON EDUCATION

CHAPTER

AN ACT

Relating to health education; creating new provisions; amending ORS 336.455; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 336.455 is amended to read:

336.455. (1) **Each school district shall provide age-appropriate human sexuality education courses in all public elementary and secondary schools as an integral part of the health education curriculum.**

[(1)] (2) Course material and instruction for all human sexuality education courses [that discuss human sexuality in public elementary and secondary schools] shall enhance students' understanding of sexuality as a normal and healthy aspect of human development. Course instruction shall [be appropriate for the age of the pupils and satisfy the following criteria]:

(a) **Be medically accurate.**

[(a)] (b) Be comprehensive.

[(b)] (c) [As an integral part of the health education curriculum,] Include information about responsible sexual behaviors and hygienic practices that eliminate or reduce the risks of pregnancy[,] **and the risks of** exposure to human immunodeficiency virus, hepatitis B, **hepatitis C** and other infectious or sexually transmitted diseases. [and shall be] **Information about those risks shall be presented in a manner** designed to allay [those] fears concerning [the] risks that are scientifically groundless.

[(c)] (d) Promote abstinence for school-age youth and mutually monogamous relationships with an uninfected partner for adults as the [safest and most responsible sexual behavior] **most effective way to prevent pregnancy and the transmission of sexually transmitted diseases.** However, abstinence [shall] **may** not be taught to the exclusion of other material and instruction on contraceptive and disease reduction measures. Human sexuality education courses shall acknowledge the value of abstinence while not devaluing or ignoring those [young people] **students** who have had or are having sexual intercourse.

[(d)] (e) Include a discussion [of the possible] **about the characteristics of the** emotional, physical and psychological [consequences of preadolescent and adolescent sexual intercourse and the emotional, physical and psychological consequences of unintended pregnancy. Pupils] **aspects of a healthy relationship and a discussion about the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children.** **Students** shall be provided with statistics based on the latest medical information regarding both **the health benefits and** the possible side effects [and health benefits] of all forms of contraceptives, including the success and failure rates for prevention of pregnancy.

[(e)] (f) Stress that sexually transmitted diseases are serious possible [hazards] **outcomes** of sexual contact. [Pupils] **Students** shall be provided with statistics based on the latest medical information regarding the efficacy of [contraceptives] **all methods of sexual protection** in preventing human immunodeficiency virus infection and other sexually transmitted diseases.

[(f)] *Advise pupils of the laws pertaining to their financial responsibility for their children.*

(g) **Provide students with information about Oregon laws that address young people's rights and responsibilities related to childbearing and parenting.**

[(g)] (h) Advise [pupils] **students** of the circumstances in which it is unlawful under ORS 163.435 and 163.445 for persons 18 years of age or older to have sexual relations with persons younger than 18 years of age to whom they are not married.

[(h)] (i) Teach **students** that no form of sexual expression is acceptable when [it] **the expression** physically or emotionally harms oneself or others and teach [pupils] **students** not to make unwanted physical and verbal sexual advances, how to decline unwanted sexual advances or accept the refusal of unwanted sexual advances. [Pupils] **Students** shall be taught that it is wrong to take advantage of or to exploit another person. Materials and information shall be presented in a manner sensitive to the fact that there are students who have experienced sexual abuse.

[(i)] (j) Validate through course material and instruction the importance of honesty with oneself and others, respect for each person's dignity and well-being, and responsibility for one's actions.

[(j)] (k) Assist students in the development and practice of effective communication skills, the development of self-esteem and the ability to resist peer pressure.

[(k)] (L) Encourage family communication and involvement [and] **to** help students learn to make responsible decisions.

[(2)] (3) Any course in any public elementary and secondary school, the main purpose of which is to [teach] **address** human sexuality education or human immunodeficiency virus education, or both, shall emphasize that abstinence from sexual contact is the only method that is 100 percent effective against unintended pregnancy, sexually transmitted diseases and human immunodeficiency virus when transmitted sexually. Abstinence is to be stressed, but not to the exclusion of other material and instruction on contraceptive and disease reduction measures. Such courses are to acknowledge the value of abstinence while not devaluing or ignoring those [young people] **students** who have had or are having sexual intercourse.

[(3)] (4) Nothing in this section prohibits instruction in sanitation, hygiene or traditional courses in biology.

SECTION 2. The amendments to ORS 336.455 by section 1 of this 2009 Act first apply to the 2009-2010 school year.

SECTION 3. This 2009 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect July 1, 2009.

Passed by House March 11, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate May 18, 2009

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President of Senate

Received by Governor:

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Approved:

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Governor

Filed in Office of Secretary of State:

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Secretary of State