

Board Policy 2320: Health, Sex Education, and Human Sexuality

[REQUIRED POLICY: A law or administrative rule requires districts to have a policy on at least one of the topics addressed here.]

[Note: Idaho Code does not specifically require affirmative permission to provide sex education, only to provide instruction on human sexuality as defined below. Because most sex education is likely to overlap with a broad interpretation of at least some topics included in the definition of human sexuality, ISBA has taken the approach of using the opt-in permission process for both sex education and other instruction related to human sexuality as defined in Idaho Code. If your district provides sex education that does not include any of these topics, the old opt-out process is sufficient to comply with the law.]

Health, family life, and sex education; including information about parts of the body, reproduction, and related topics; shall be included in the instructional program as appropriate to the grade level and course of study. The instructional approach shall be developed after consultation with parents and other community representatives. ~~Parents shall be given the opportunity to review the materials to be used and may request that their child be excluded from sex education class sessions without prejudice. Any parent/legal guardian may have their child excused from any planned sex education instruction upon filing a written request with the Superintendent or the Superintendent's designee. The Superintendent or designee shall make a form available for such requests. Alternative educational activities shall be provided for those excused.~~

Sex Education

While District schools do not provide instruction on all of the following topics, the term "human sexuality" shall mean the following, as required by state law:

1. Sexual conduct;
2. Sexual pleasure;
3. Sexual intimacy;
4. Sexual abuse;
5. Sexual violence;
6. Eroticism;
7. Pornography;
8. Deviant sexual behavior;
9. Sexual attraction;
10. Sexual orientation or any form of sexual identity;
11. Gender identity or gender conversion.

Instruction in any of these topics shall be age-appropriate, developmentally appropriate, and in accordance with state standards. Before providing instruction on any of these topics or other sex education, the District shall provide parents/guardians with at least two weeks of notice and the opportunity to review any materials that will be used in this instruction. This notice shall include a brief description of the content of this instruction. Parents/guardians shall be provided with a form to provide written permission for their student to receive the instruction. Students will only participate in instruction on this topic if their parent/guardian has provided this signed form within one week of the time this instruction begins. Alternative educational

activities shall be provided for students who have not received this permission.

If a parent/guardian believes their student has received instruction on one of these topics without the permission described above, the parent may address their complaint as described in Procedure 2320.

[PLEASE SELECT ONE: The Board directs that a philosophy of abstinence shall be a part of and the underlying principal in all sex education instruction. OR The Board directs that sex education instruction shall include instruction on abstinence.] However, it is recognized that this alone may not prevent pregnancies and sexually transmitted infections (STIs). Therefore, the Board allows for instruction in sex education including STIs, birth control, adoption, and general human sexuality. In all cases the known facts will be taught, not the opinions or moral judgment of the instructor. ~~This does not preclude giving impartial viewpoints on both sides of issues such as abortion or on the use of birth control methods.~~

Any sex education instruction shall include instruction on:

1. Available adoption resources and current adoption practices in the United States as a means of providing for the well-being of a child;
2. The Idaho Safe Haven Act, IC 39-8201 et seq.; and
3. Where to find resources and support in the State of Idaho.

Additionally, any instruction on human biology, contraception, or STIs provided to students in grades 5 through 12 shall be accompanied by a viewing of a video that meets the following requirements:

1. It must be at least three minutes long;
2. It must show the development of the brain, heart, sex organs, and other vital organs in early fetal development; and
3. It must include a high-quality, computer-generated rendering or animation showing the process of fertilization and every stage of human development inside the uterus, noting significant markers in cell growth and organ development for every week of pregnancy until birth.

Before a student can view such a video, their parent/guardian must be given notice, be provided with the opportunity to review the video, and provide permission as described above. ~~Before a student can view such a video, their parent/guardian must be given notice and provided with the opportunity to review the video as described above.~~

The Board believes that instruction on STIs is most effective when integrated into a comprehensive health education program. Instruction shall be developmentally appropriate to the grade level of the students and shall occur in a systematic manner. The Board particularly desires that students receive proper education about STIs before they reach the age when they may adopt behaviors that increase their risk of contracting an STI.

In order for education about STIs to be most effective, the Superintendent shall require that faculty members who present this instruction receive continuing inservice training that includes appropriate teaching strategies and techniques.

No sex education materials or instruction may be provided by any individual or organization that is an abortion provider.

Alcohol, Tobacco, and Drug Education

Students shall receive education regarding the use of alcohol, tobacco, and drugs. The Superintendent or

designee shall develop curriculum for use in health education that provides instruction to students in the areas of prevention; education; treatment; rehabilitation; and legal consequences of alcohol, tobacco, and drug use.

Legal References

IC § 18-8707

Description

Abortion-Related Activities Prohibited in School-Based Health Clinics and Sex Education Curricula

IC § 33-1605

Health and Physical Fitness – Effects of Alcohol, Tobacco, Stimulants and Narcotics

IC § 33-1608, et seq.

Family Life and Sex Education – Legislative Policy

IC § 33-1611A

Requiring Permission for Instruction Addressing Human Sexuality

IC § 33-1637

Human Growth and Development Instruction in Public Schools

IC § 33-342

Adoption Education

IC § 33-6001

Parental Rights

IC § 39-8201 et. seq.

Idaho Safe Haven Act

IDAPA 08.02.03.160

Safe Environment and Discipline

Cross References**Code**

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Description

Physical Activity Opportunities and Physical Education

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Controversial Issues

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Controversial Issues

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Gender Identity and Sexual Orientation