

House Bill 195

By: Representatives Clark of the 108th, Dreyer of the 59th, Park of the 101st, Hutchinson of the 107th, Kausche of the 50th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to the "Quality Basic Education Act," so as to require that any course of study in sex
3 education and HIV/AIDS prevention instruction is medically accurate; to provide for a
4 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the
8 "Quality Basic Education Act," is amended by revising Code Section 20-2-143, relating to
9 sex education and AIDS prevention instruction, implementation, and student exemption, as
10 follows:

11 "20-2-143.

12 (a) As used in this Code section, the term 'medically accurate' means complete information
13 that is verified or supported by the weight of research conducted in compliance with
14 accepted scientific methods; recognized as medically accurate and objective by leading
15 professional organizations and agencies with expertise in the relevant field, such as the
16 federal Centers for Disease Control and Prevention, the American College of Obstetricians

17 and Gynecologists, the American Public Health Association, the American Academy of
18 Pediatrics, the American Medical Association, and the National Association of School
19 Nurses; and published in peer reviewed journals where appropriate.

20 (b) Each local board of education shall prescribe a medically accurate course of study in
21 sex education, human immunodeficiency virus (HIV), and ~~AIDS~~ acquired immune
22 deficiency syndrome (AIDS) prevention instruction for such grades and grade levels in the
23 public school system as shall be determined by the State Board of Education. Such course
24 of study shall implement either the minimum course of study provided for in subsection
25 ~~(b)~~(c) of this Code section or its equivalent, as approved by the State Board of Education.
26 Each local board of education shall be authorized to supplement and develop the exact
27 approach of content areas of such minimum course of study with such specific medically
28 accurate curriculum standards as it may deem appropriate. Such standards shall include
29 instruction relating to the handling of peer pressure, the promotion of high self-esteem,
30 local community values, the legal consequences of parenthood, and abstinence from sexual
31 activity as an effective method of prevention of pregnancy, sexually transmitted diseases,
32 and ~~acquired immune deficiency syndrome~~ HIV/AIDS.

33 ~~(b)~~(c) The State Board of Education shall prescribe a medically accurate minimum course
34 of study in sex education and HIV/AIDS prevention instruction which may be included as
35 a part of a course of study in comprehensive health education for such grades and grade
36 levels in the public school system as shall be determined by the state board and shall
37 establish standards for its administration. The course may include instruction concerning
38 human biology, conception, pregnancy, birth, sexually transmitted diseases, and ~~acquired~~
39 ~~immune deficiency syndrome~~ HIV/AIDS. The course shall include instruction concerning
40 the legal consequences of parenthood, including, without being limited to, the legal
41 obligation of both parents to support a child and legal penalties or restrictions upon failure
42 to support a child, including, without being limited to, the possible suspension or
43 revocation of a parent's driver's license and occupational or professional licenses. The

44 course shall also include annual age-appropriate sexual abuse and assault awareness and
 45 prevention education in kindergarten through grade ~~9~~ nine. A manual setting out the details
 46 of such course of study shall be prepared by or approved by the State School
 47 Superintendent in cooperation with the Department of Public Health, the State Board of
 48 Education, and such expert advisers as they may choose.

49 ~~(c)~~(d) The minimum course of study to be prescribed by the State Board of Education
 50 pursuant to subsection ~~(b)~~(c) of this Code section shall be ready for implementation not
 51 later than ~~July 1, 1988~~ January 1, 2022. Each local board shall implement either such
 52 minimum course of study or its equivalent not later than July 1, ~~1989~~ 2022. Any local
 53 board of education which fails to comply with this subsection shall not be eligible to
 54 receive any state funding under this article until such minimum course of study or its
 55 equivalent has been implemented.

56 ~~(d)~~(e) Any parent or legal guardian of a child to whom the course of study set forth in this
 57 Code section is to be taught shall have the right to elect, in writing, that such child not
 58 receive such course of study."

59 **SECTION 2.**

60 Said article is further amended in Code Section 20-2-201, relating to specific course
 61 requirements, in-service or continuing education, and online offerings, by revising subsection
 62 (b) as follows:

63 "(b) Each local unit of administration shall be required to provide all professional
 64 personnel certificated by the Professional Standards Commission 12 clock hours of
 65 in-service or continuing education in each calendar year, or meet requirements of the
 66 Southern Association of Colleges and Schools. Such in-service programs shall be
 67 developed by the local unit of administration in conjunction with such agencies as regional
 68 educational service agencies, colleges and universities, and other appropriate organizations.
 69 These programs shall be designed to address identified needs determined by appropriate

70 personnel evaluation instruments. These programs shall also focus on improving the skills
71 of certificated personnel that directly relate to improving student achievement, as reflected
72 in the revised certification renewal rules established by the Professional Standards
73 Commission pursuant to paragraph (4.1) of subsection (b) of Code Section 20-2-200
74 regarding the impact of professional learning on student achievement. These programs
75 shall also include in-service training programs on sexual abuse and assault awareness and
76 prevention for professional personnel who will be providing instruction in annual
77 age-appropriate sexual abuse and assault awareness and prevention education in
78 kindergarten through grade nine pursuant to subsection ~~(b)~~(c) of Code Section 20-2-143.
79 Records of attendance shall be maintained by local units of administration and shall be
80 monitored by appropriate Department of Education staff."

81

SECTION 3.

82 All laws and parts of laws in conflict with this Act are repealed.