

# HOUSE BILL NO. 4938

May 27, 2021, Introduced by Reps. Pohutsky, Weiss, Bolden, Rogers, Manoogian, Cynthia Johnson, Aiyash, Stone, Hope, Steckloff and Sowerby and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1169 (MCL 380.1169), as amended by 2004 PA 165.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1169. (1) The principal modes by which dangerous  
2       communicable diseases, including, but not limited to, human  
3       immunodeficiency virus infection and acquired immunodeficiency  
4       syndrome, are spread and the best methods for the restriction and  
5       prevention of these diseases ~~shall~~**must** be taught in every public

1 school in this state. Subject to subsection (3) and section 1507b,  
2 the teaching under this section ~~shall~~**must** stress that abstinence  
3 from sex is a responsible and effective method for restriction and  
4 prevention of these diseases and is a positive lifestyle for  
5 unmarried young ~~people~~**individuals**.

6 (2) Except for licensed health care professionals who have  
7 received training on human immunodeficiency virus infection and  
8 acquired immunodeficiency syndrome, each ~~person~~**individual** who  
9 teaches K to 12 pupils about human immunodeficiency virus infection  
10 and acquired immunodeficiency syndrome ~~pursuant to~~**under** subsection  
11 (1) ~~shall~~**must** have training in human immunodeficiency virus  
12 infection and acquired immunodeficiency syndrome education for  
13 young ~~people~~**individuals**. The superintendent of public  
14 instruction, in cooperation with the department of ~~public~~**health**  
15 **and human services**, shall train trainers to provide the teacher  
16 training required ~~by~~**under** this subsection and shall provide for  
17 the development and distribution to school districts of medically  
18 accurate material on the teaching of human immunodeficiency virus  
19 infection and acquired immunodeficiency syndrome to young  
20 ~~people~~**individuals**.

21 (3) ~~The~~**Subject to subsection (4), the** choice of curricula to  
22 be used for human immunodeficiency virus infection and acquired  
23 immunodeficiency syndrome education required to be taught under  
24 subsection (1) ~~shall~~**must** be approved by the appropriate school  
25 board and implemented in the school setting not later than October  
26 1, 1990. ~~Before~~**Except for revisions to the curriculum implemented**  
27 **under this section to provide for the teaching of the information**  
28 **required under subsection (4), before** adopting any revisions to the  
29 curriculum implemented under this section, including, but not

1 limited to, revisions to provide for the teaching of abstinence  
2 from sex as a responsible method for restriction and prevention of  
3 disease, a school board shall hold at least 2 public hearings on  
4 the proposed revisions. The hearings ~~shall~~**must** be held at least 1  
5 week apart and public notice of the hearings ~~shall~~**must** be given in  
6 the manner required under section 1201 for board meetings. A public  
7 hearing held ~~pursuant to~~**under** this section may be held in  
8 conjunction with a public hearing held ~~pursuant to~~**under** section  
9 1507.

10 (4) Beginning with the 2022-2023 school year, the curricula to  
11 be used for human immunodeficiency virus infection and acquired  
12 immunodeficiency syndrome education required under subsection (1)  
13 that is taught to high school pupils must include medically  
14 accurate information regarding post-exposure prophylaxis (PEP) or  
15 pre-exposure prophylaxis (PrEP) medications used to prevent an  
16 individual from becoming infected with human immunodeficiency virus  
17 infection. The information required under this subsection must also  
18 include at least coverage of the manner in which the medications  
19 described in this subsection are administered and the cost of those  
20 medications.