

## **Sex Education and Maturation (Approved October 10, 2023)**

### **Definitions**

“Curriculum materials review committee” means a committee formed at the District or school level, as determined by the Board of Education, that includes parents, health professionals, school health educators, and administrators, with at least as many parents as school employees. The membership of the committee shall be appointed and reviewed annually by August 1 of each year by the Board, shall meet on a regular basis as determined by the membership, shall select its own officers and shall be subject to the Utah Open and Public Meetings Act.

“Sex education instruction or instructional programs” means any course material, unit, class, lesson, activity or presentation that, as the focus of the discussion, provides instruction or information to students about sexual abstinence, human sexuality, human reproduction, reproductive anatomy, physiology, pregnancy, marriage, childbirth, parenthood, contraception, HIV/AIDS or other sexually transmitted diseases, or refusal skills. While these topics are most likely discussed in such courses as health education, health occupations, human biology, physiology, parenting, adult roles, psychology, sociology, child development, and biology, this rule applies to any course or class in which these topics are the focus of discussion.

“Refusal skills” means instruction (1) in a student’s ability to clearly and expressly refuse sexual advances (by a minor or by an adult), (2) in a student’s obligation to stop the student’s sexual advances if refused by another individual, (3) informing a student of the student’s right to report and seek counseling for unwanted sexual advances, (4) in sexual harassment, and (5) informing a student that a student may not consent to criminally prohibited activities or activities for which the student is legally prohibited from giving consent, including the electronic transmission of sexually explicit images by an individual of the individual or another.

“Maturation education” means instruction and materials used to provide fifth or sixth grade students with age appropriate, medically accurate information regarding the physical and emotional changes associated with puberty, to assist in protecting students from abuse and to promote hygiene and good health practices.

“Medically accurate” means verified or supported by a body of research conducted in compliance with scientific methods and published in journals that have received peer review and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the American Medical Association.

*Utah Admin. Code R277-474-2 (October 8, 2019)*

*Utah Code § 53G-10-402(1) (2020)*

*Utah Code § 53G-10-403 (2019)*

## **Sex Education Instruction Requirement**

Subject to parental permission, a student shall receive sex education instruction on at least two occasions during the period that begins the end of grade 7 and ends with the end of grade 12.

*Utah Code § 53G-10-402(3)(a) (2020)*

## **Parental Notification and Permission Form Required for Participation**

Students may not participate in any sex education instruction or instructional program unless, prior to the student's participation, the school has on file for that student a completed parental notification form relating to that specific instruction or program which indicates that the student's parent authorizes the student to participate. The form shall (1) explain a parent's right to review proposed curriculum materials in a timely manner, (2) request the parent's permission to instruct the parent's student in identified course material related to sex education or maturation education, (3) allow the parent to exempt the parent's student from attendance from a class period where the identified sex education or maturation instruction is presented and discussed, (4) be specific enough to give parents fair notice of topics to be covered, and (5) include a brief explanation of the topics and materials to be presented and provide a time, place and contact person for review of the identified curricular materials. Completed permission forms shall be maintained in the student's educational records for a reasonable period of time.

*Utah Code § 53G-10-402(4)(a) (2020)*

*Utah Code § 53G-10-403 (2019)*

If a student is exempted from participation in sex education or maturation education, the District shall either waive the participation requirement or provide a reasonable alternative to the requirement.

*Utah Admin. Rules R277-474-5(11) (October 8, 2019)*

*Utah Code § 53G-10-402(3, 4) (2020)*

*Utah Code § 53G-10-403(4) (2020)*

## **Health and Sex Education Guidelines**

All health and sex education shall stress the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods of preventing sexually transmitted diseases. The curriculum and education shall also stress personal skills that encourage individual choice of abstinence and fidelity in marriage.

At no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult.

Nothing in this policy precludes an educator from responding to a spontaneous question provided that the response is consistent with this policy.

Utah Code § 53G-10-402(2)(b), (e)(i) (2020)

The following may not be taught in District schools:

1. the intricacies of intercourse, sexual stimulation, or erotic behavior;
2. the advocacy of premarital or extramarital sexual activity; or
3. the advocacy or encouragement of the use of contraceptive methods or devices.

Utah Admin. Rules R277-474-3(1) (October 8, 2019)

Utah Code § 53G-10-402(2)(b)(iii) (2020)

Utah Code § 53A-13-101(1)(c)(iii)(A) (2017)

The District may, under curriculum adopted in accordance with this policy, provide instruction in grades 9-12, which includes information about contraceptive methods or devices and which stresses effectiveness, limitations, risks, and information on state law applicable to minors obtaining contraceptive methods or devices.

Utah Code § 53G-10-402(2)(b)(iv) (2020)

Utah Admin. Rules R277-474-3(2) (October 8, 2019)

### **Sexual Abuse Prevention and Awareness**

Schools in the District may provide instruction to elementary school students on child sexual abuse and human trafficking prevention and awareness using the instructional materials approved by the State Board of Education for that purpose. However, before an individual student may receive this instruction, the student's parent must be notified in advance of the instruction and the content of the instruction and of the parent's right to have the student excused from the instruction, given an opportunity to review the instruction materials, and be allowed to be present when the instruction is delivered. A parental permission form (as outlined above) must be received for each student before that student receives the instruction. Upon the written request of a parent, a student shall be excused from the instruction.

Utah Code § 53G-9-207(4), (5) (2019)

### **Instructional Staff Training and In-service**

District staff who have responsibility for some aspect of sex education instruction in the District may include administrators, teachers, counselors, teacher's assistants, or coaches, but are not necessarily limited to those categories.

In their first year of service or assignment, all newly hired or newly assigned District staff who have responsibility for any aspect of sex education instruction in the District will attend a State-sponsored in-service outlining the sex education curriculum and the criteria for sex education instruction in any courses offered in the public education system.

All District staff who have any responsibility for any aspect of sex education instruction in the District will attend District training outlining the sex education curriculum and the criteria for sex education instruction in any courses offered in the public education system at least once every three (3) years.

*Utah Admin. Rules R277-474-3(5) (October 8, 2019)*

*Utah Admin. Rules R277-474-5(1), (2) (October 8, 2019)*

### **Sex Education Curriculum Materials Review Committee**

The Board of Education shall appoint a District Sex Education Curriculum Materials Review Committee. This committee shall be composed of parents, health professionals, school health educators, and administrators, with at least as many parent members as school employee members. The Board shall appoint and review the membership of the committee by August 1 of each year, making new appointments as necessary or appropriate.

The District Sex Education Curriculum Materials Review Committee shall meet on a regular basis as determined by the members of the committee, shall select officers, shall establish procedures for operation, shall designate a chair, and shall comply with the Utah Open and Public Meetings Act. Information about the District Sex Education Committee meeting times and locations will be posted on the district website and made available to parents.

*Utah Admin. Rules R277-474-2(1) (October 8, 2019)*

*Utah Admin. Rules R277-474-5(3), (4), (5) (October 8, 2019)*

### **Review of Guest Presentations Relating to Sex Education**

Before any guest speaker or guest presenter may present any information in any District course relating to sex education instruction, the speaker and presenter and the materials to be presented must have been approved by the District Sex Education Curriculum Materials Review Committee.

The committee shall not authorize the use of any sex education instructional program which has not been previously approved for use in the District as set forth below regarding curriculum approval.

*Utah Admin. Rules R277-474-5(5)(c), (6) (October 8, 2019)*

## **Adoption of District Sex Education Instructional Materials**

Utah Code § 53G-10-402(2)(g) (2020)

Utah Admin. Rules R277-474-4(4) (October 8, 2019)

The Board of Education shall determine what sex education instructional materials will be used in the District. The Board shall request that the District Sex Education Curriculum Materials Review Committee provide recommendations regarding the sex education instructional materials to be used in the District. Such recommended materials must be medically accurate and must be consistent with the Health and Sex Education Guidelines set forth above.

Following recommendations from the Review Committee, the Board shall consider whether to adopt recommended materials at a public meeting which includes a public hearing on the issue. The proposed materials shall have been made available for review by residents of the District a reasonable time in advance of the meeting. If a majority of the Board members present vote to adopt the recommended materials, then the materials may be used in the District.

Following adoption of the materials, a resident of the District may appeal regarding the content of the materials by submitting a written appeal to the Board which specifically explains the resident's objections or concerns regarding the materials. The Board shall refer the appeal to the District Sex Education Curriculum Materials Review Committee for recommendations regarding the response to the appeal. The Board shall review the Committee's recommendations and then determine what action, if any, is appropriate.

Following adoption of sex education instruction materials which have not previously been approved by the State Instructional Materials Commission, the Board shall report such adoption to the State Board of Education. That report shall provide a copy of the materials, documentation of the adoption of the materials at the Board meeting, documentation that the materials are medically accurate, documentation of the committee recommendations, and the Board's rationale for adopting the materials.

The Board of Education shall annually review the decision to adopt the sex education instructional materials used in the District and shall consider whether to continue use of those materials. The Board's review shall include data for each county that the District is located in regarding teen pregnancy, child sexual abuse, and sexually transmitted diseases and infections, and also shall include data on the number of pornography complaints or other instances reported within the District.

Utah Code § 53G-10-402(2)(g)(ii) (h), (8) (2020)

Utah Admin. Rules R277-474-6 (October 8, 2019)

## **Monitoring of Sex Education Instruction**

Each school in the District shall log and track all parental or community complaints and comments resulting from student participation in sex education instruction in the school, including disposition of any complaints made. This information shall be provided to District administration on a monthly basis during the school year.

District administration shall compile and maintain records of parental or community complaints and comments resulting from student participation in sex education instruction in the District, including disposition of complaints, and shall provide that information to the State Superintendent upon request.

*Utah Admin. Rules R277-474-5(10) (October 8, 2019)*

*Utah Admin. Rules R277-474-7(3) (October 8, 2019)*

Dear Parent or Guardian:

Your child is enrolled in a course that includes instruction on topics related to sex education which are controlled by Utah State Law, Utah State Board of Education Rule, and Morgan School District Policy. Your child cannot participate in this curriculum without your signed consent.

All instruction related to sex education or sexual activity takes place within the context of Utah State Law Utah Code § 53G-10-402 (2020) and Utah State Board of Education Rule (R277-474-1, 2, 3) as follows:

- The public schools will teach sexual abstinence before marriage and fidelity after marriage.
- There will be prior parental consent before teaching any aspect of contraception and/or condoms.
- Students may learn about communicable diseases, including those transmitted sexually, and HIV/AIDS.
- Subject to parental permission, a student shall receive sex education instruction on at least two occasions during the period that begins the end of grade 7 and ends with the end of grade 12.

Program materials and guest speakers supporting instruction on these topics have been reviewed and approved by the Morgan District Review Committee. Subject to parental permission, the curriculum for this course may include information and discussions about the following:

Reproductive anatomy and health	Contraception, including condoms
Human reproduction	HIV and AIDS (including modes of transmission)
Information on self-exams	Sexually transmitted infections
Date rape	Body Imaging
Refusal Skills	Harmful Effects of Pornography

The following are NOT approved for instruction and may not be taught or discussed:

- The intricacies of intercourse, sexual stimulation or erotic behavior;
- The advocacy of premarital or extramarital sexual activity;
- The advocacy or encouragement of the use of contraceptive methods or devices;
- Demonstrations on how to use condoms or any contraceptive means, methods, or devices.

In accordance with Utah State Board of Education Rule R277-474-7-4, teachers may respond to spontaneous student questions for the purposes of providing accurate data or correcting inaccurate or misleading information or comments made by students in class regarding human

sexuality.

We are required to send a consent form to you within 2 weeks after the beginning of the course, but not less than 2 weeks prior to instruction of the identified topics.

**Your child will not be allowed to participate in the class without the completed and signed consent form on file.**

Please read the attached consent form and select **one option**, sign, and return to the teacher.

## Consent Form Grades 9-12

Name of Student: \_\_\_\_\_ Name of Teacher: \_\_\_\_\_

**Subject to parental permission, the curriculum for this course may include information and discussions about the following:**

Reproductive anatomy and health	Contraception, including condoms
Human reproduction	HIV and AIDS (including modes of transmission)
Date rape	Body imaging
Refusal skills	Harmful effects of pornography

Please note that while the curriculum may cover the topics identified above, Utah Code 53A-13-101(1) allows instructors to respond to spontaneous questions from students if the response is consistent with state law and our policy. The topics identified here do not and cannot include all spontaneous questions students may ask and that the instructor may respond to. If a student asks a question that is not covered by the identified topics, the instructor will respond and move on, but will not engage the class in a discussion on any topic not identified here.

\*Factual, unbiased information about contraception and condoms may be presented as part of this course. Demonstrations on how to use condoms or any contraceptive means, methods, or devices are **prohibited** and are **NOT** authorized.

**Please read and check one of the following options:**

☐ **Option 1**

I GRANT permission for my child to participate in the scheduled instruction and activities/discussions as described above.

☐ **Option 2**

I GRANT permission for my child to participate in the scheduled activities/discussions as described above, except for \_\_\_\_\_. I understand that my child will not attend the regularly scheduled class on the day of this instruction and consistent with Section 53-G-10-403(3), the school shall waive the participation requirement, or provide a reasonable alternative to the requirement.

☐ **Option 3**

Prior to making a decision, I will contact the teacher at the school within two weeks to arrange a time to discuss the planned instruction and review the materials.

☐ **Option 4**

I DENY permission for my child to participate in any of the scheduled instruction and activities/discussions. I understand that if my student is exempted from course material required by the Board-approved Core Standards consistent with Section 53-G-10-403(3) the school shall waive the participation requirement; or provide a reasonable alternative to the requirement.

**PLEASE SIGN AND RETURN**

*I have read this form and chosen an option.*

**Parent/Guardian Printed Name:** \_\_\_\_\_

**Parent/Guardian Signature:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Signed forms are kept on file for a reasonable period.

## Consent Form Grade 7

Name of Student: \_\_\_\_\_ Name of Teacher: \_\_\_\_\_

**Subject to parental permission, the curriculum for this course may include information and discussions about the following:**

Reproductive anatomy and health	Refusal skills
Human reproduction	HIV and AIDS (including modes of transmission)
Information on self-exams	Sexually transmitted infections
Body imaging	Harmful effects of pornography

Please note that while the curriculum may cover the topics identified above, Utah Code 53A-13-101(1) allows instructors to respond to spontaneous questions from students if the response is consistent with state law and our policy. The topics identified here do not and cannot include all spontaneous questions students may ask and that the instructor may respond to. If a student asks a question that is not covered by the identified topics, the instructor will respond and move on, but will not engage the class in a discussion on any topic not identified here.

\*Factual, unbiased information about contraception and condoms may be presented as part of this course. Demonstrations on how to use condoms or any contraceptive means, methods, or devices are **prohibited** and are **NOT** authorized.

**Please read and check one of the following options:**

☐ **Option 1**

I GRANT permission for my child to participate in the scheduled instruction and activities/discussions as described above.

☐ **Option 2**

I GRANT permission for my child to participate in the scheduled activities/discussions as described above, except for \_\_\_\_\_. I understand that my child will not attend the regularly scheduled class on the day of this instruction and consistent with Section 53-G-10-403(3), the school shall waive the participation requirement, or provide a reasonable alternative to the requirement.

☐ **Option 3**

Prior to making a decision, I will contact the teacher at the school within two weeks to arrange a time to discuss the planned instruction and review the materials.

☐ **Option 4**

I DENY permission for my child to participate in any of the scheduled instruction and activities/discussions. I understand that if my student is exempted from course material required by the Board-approved Core Standards consistent with Section 53-G-10-403(3) the school shall waive the participation requirement; or provide a reasonable alternative to the requirement.

**PLEASE SIGN AND RETURN**

*I have read this form and chosen an option.*

**Parent/Guardian Printed Name:** \_\_\_\_\_

**Parent/Guardian Signature:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Signed forms are kept on file for a reasonable period.