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# A BILL FOR AN ACT

RELATING TO HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that sexuality health  
2 education promotes healthy attitudes on adolescent growth and  
3 development, body image, gender and sexuality, dating,  
4 relationships, and family. The legislature also finds that  
5 sexuality health education should positively affect adolescent  
6 behavior and provide teens with the information, skills, and  
7 support needed to develop positive values, make healthy  
8 decisions, and respect the important role that sexuality plays  
9 throughout a person's life.

10           The legislature further finds that, in the past three  
11 years, several states, including Hawaii, have enacted laws that  
12 require school districts that teach sexuality health education  
13 to include age-appropriate and medically accurate health  
14 education. The legislature also finds, however, that the  
15 effectiveness of sexuality health education in Hawaii's schools  
16 could be bolstered by providing clearer guidance on a  
17 comprehensive approach to sexuality health education, greater



1 flexibility in the implementation of the curricula, and greater  
2 public access to the curricula.

3 The purpose of this Act is to:

- 4 (1) Add specific requirements to Hawaii's existing  
5 sexuality health education law;
- 6 (2) Require the board of education and department of  
7 education to collaborate to develop, maintain, and  
8 make available to the public a list of sexuality  
9 health education curricula; and
- 10 (3) Allow parents to request that their children not  
11 receive the sexuality health education provided  
12 pursuant to Hawaii's sexuality health education law.

13 SECTION 2. Section 321-11.1, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "[+]§321-11.1[+] Medically accurate sexuality health  
16 education. (a) Sexuality health education programs funded by  
17 the State shall provide medically accurate and factual  
18 information that [~~is~~]:

- 19 (1) Is age appropriate [~~and includes~~];
- 20 (2) Includes education on abstinence, contraception, and  
21 methods of disease prevention to prevent unintended



1 pregnancy and sexually transmitted disease, including  
2 human immunodeficiency virus [-];

3 (3) Helps students develop relationships and communication  
4 skills to form healthy relationships that are based on  
5 mutual respect and affection and free from violence,  
6 coercion, and intimidation;

7 (4) Helps students develop skills in critical thinking,  
8 problem solving, decision making, and stress  
9 management to make healthy decisions about sexuality  
10 and relationships; and

11 (5) Encourages students to communicate with their parents,  
12 guardians, and other trusted adults about sexuality  
13 and intimate relations.

14 (b) At a teacher's discretion, the teacher may answer in  
15 good faith any question initiated by a student or students that  
16 is reasonably related to and consistent with the material of a  
17 course provided pursuant to subsection (a).

18 (c) The department of education may eliminate or modify  
19 components of instruction under subsection (a) (2) in elementary  
20 school for reasons of age appropriateness.



1        (d) Sexuality health education under subsection (a) shall  
2 not discriminate on the basis of sex, race, ethnicity, national  
3 origin, disability, religion, sexual orientation, or gender  
4 identity.

5        (e) The board of education shall collaborate with the  
6 department of education to develop, maintain, and make available  
7 to the public a current list of sexuality health education  
8 curricula that are consistent with the requirements under  
9 subsection (a).

10       (f) A student shall be excused from any part of the  
11 instruction provided pursuant to this section only upon the  
12 written request of the student's parent or legal guardian. A  
13 student may not be subject to disciplinary action, academic  
14 penalty, or other sanction if the student's parent or legal  
15 guardian requests that the student not receive the instruction  
16 provided under this section.

17       (g) The department of education shall establish minimum  
18 education and training qualifications for sexuality health  
19 education teachers.

20       ~~[(b)]~~ (h) For the purposes of this section:



1 "Age appropriate" means suitable to a particular age or age  
2 group based on developing cognitive, emotional, and behavioral  
3 capacity typical for that age or age group.

4 "Factual information" means medical, psychiatric,  
5 psychological, empirical, or statistical information that is  
6 verified or supported by research conducted by recognized  
7 medical, psychiatric, psychological, and public health  
8 professionals or organizations.

9 "Medically accurate" means verified or supported by  
10 research conducted in compliance with accepted scientific  
11 methods and recognized as accurate and objective by professional  
12 organizations and agencies with expertise in the relevant field,  
13 such as the federal Centers for Disease Control and Prevention,  
14 the American Public Health Association, the American Academy of  
15 Pediatrics, and the American College of Obstetricians and  
16 Gynecologists.

17 "Sexuality health education" means education in any medium  
18 regarding human development and sexuality, including education  
19 on pregnancy, family planning, and sexually transmitted  
20 diseases."



# H.B. NO. 595

1           SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 23 2015



# H.B. NO. 595

**Report Title:**

Comprehensive Sexuality Education

**Description:**

Adds specific requirements to Hawaii's existing sexuality health education law. Requires the BOE and DOE to collaborate to provide curricula information to the public. Requires students to be excused from the provided instruction under specified condition.

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