NOTE: Colorado school districts are required by law to adopt an exemption procedure on this topic that contains certain elements. The procedure should follow this policy and be coded IHAMB-R.

Family Life/Sex Education

The Board believes that the purpose of family life and sex education is to help students acquire factual knowledge, skills and attitudes which will result in behavior that contributes to the well-being of the individual, the family and society.

Helping students attain a mature and responsible attitude toward human sexuality is a continuous task of every generation. Parents have the prime responsibility to assist their children in developing moral values. The schools should support and supplement parents' efforts in these areas by offering students factual information and opportunities to discuss concerns, issues and attitudes inherent in family life and sexual behavior including inquiring into traditional moral values.

The school district shall teach about family life and sex education in regular courses on anatomy, physiology, health, home economics, science and so on. If a separate family life or sex education program is developed, it shall be a non-required, noncredit course. Any planned curriculum that includes instruction concerning human sexuality shall be based on scientifically-researched content standards in accordance with state law.

In addition to the requirements listed below, the customary policies and regulations concerning the approval of new curriculum content, units and materials shall apply to any course(s) dealing with family life and sex education offered by the district.

1. Instructional materials to be used in family life/sex education shall be available for inspection by the public during school hours. A public meeting shall be scheduled to receive public comments.

2. Parents/guardians of all students shall be notified that such courses have been scheduled and that they may request that their child be exempt without penalty from a specific portion of the program on the grounds that it is contrary to their religious beliefs. If the request for the exemption is from a specific portion of the family life/sex education curriculum that concerns human sexuality, no reason must be given by the parent/guardian when requesting the exemption.

3. The notice to parents shall include a detailed, substantive outline of the topics and materials to be presented in the portion of the planned curriculum that concerns human sexuality.

4. The Board shall approve an exemption procedure. If a student is granted an exemption, an alternate educational assignment shall be arranged. Exemptions shall be implemented in a manner that does not draw undue attention to or cause undue embarrassment for students.

5. Teachers who provide instruction in family life/sex education shall have professional preparation in the subject area, either at the pre-service or inservice level.

(Adoption date)

LEGAL REFS.: C.R.S. 22-1-110.5
C.R.S. 22-25-104 (6)
C.R.S. 22-25-106 (4)
C.R.S. 22-25-110 (2)
20 U.S.C. 7906 *(No Child Left Behind Act of 2001)*

CROSS REFS.: IGA, Curriculum Development
IGD, Curriculum Adoption
IHAM, Health Education

NOTE 1: The Comprehensive Health Education Act of 1990, specifically C.R.S. 22-25-104(6), provides:

> Any curriculum and materials developed and used in teaching sexuality and human reproduction shall include values and responsibility and shall give primary emphasis to abstinence by school-aged children. School officials shall receive prior written approval from a parent or guardian before his or her child may participate in any program discussing or teaching sexuality and human reproduction. Parents must receive, with the written permission slip, an overview of the topics and materials to be presented in the curriculum.

This amendment applies only to the programs funded through state grant dollars for Comprehensive Health Education. Therefore, if a funded program uses grant money to teach sex education, prior written approval from a parent or guardian is required. The written permission slip must be accompanied by an overview of the topics and materials to be presented in the curriculum.

Prior written approval is not required for other classes addressing human reproduction such as biology or science unless such classes are part of a Comprehensive Health Education program.

NOTE 2: 20 U.S.C.7906 of the No Child Left Behind Act of 2001 states that no Title I funds may be used to:

- *Develop or distribute materials or operate programs or courses of instruction directed at youth that are designed to promote or encourage sexual activity, whether homosexual or heterosexual*
- *Distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds*
- *Provide education or HIV prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence*
- *Operate a program of contraceptive distribution in the schools*

NOTE 3: There are three different exemption procedures in state law for health education programs and curriculum that includes a discussion of human sexuality. See Note 1 for the "opt in" provisions for comprehensive health education programs funded through state grant dollars. Another statute authorizes districts to restrict exemptions from health education programs to instances where the parent/guardian objects that the instruction is contrary to religious beliefs or teachings. See C.R.S. 22-25-106(4). The third exemption reference is a new law which requires districts to provide an exemption when the district offers a planned curriculum that includes the discussion of or instruction concerning human sexuality upon the written request of the parent. C.R.S. 22-1-110.5. This sample policy and exemption procedure that accompanies it are written to address these three approaches. To eliminate some of the confusion, districts can modify opportunities to "opt out" so they are consistent. This approach would allow a parent/guardian to request an exemption from any portion of the health education curriculum that is objectionable without having to state a particular reason for the exemption. The sample policy and regulation would have to be modified to allow parents/guardians to "opt out" from any portion of the curriculum without having to state a reason.