

# HOUSE BILL No. 1117

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-41-4-1; IC 20-5-62-8; IC 20-8.1; IC 20-10.1.

**Synopsis:** Medically accurate education. Requires the provision of medically accurate information at the various times that health, AIDS, HIV, or abstinence education is required by statute.

**Effective:** July 1, 2000.

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## Porter

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January 10, 2000, read first time and referred to Committee on Education.

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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

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# HOUSE BILL No. 1117



A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-41-4-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. The state department  
3 must provide **medically accurate** information stressing the moral  
4 aspects of abstinence from sexual activity in any literature that the state  
5 department distributes to school children and young adults concerning  
6 available methods for the prevention of acquired immune deficiency  
7 syndrome (AIDS). Such literature must state that the best way to avoid  
8 AIDS is for young people to refrain from sexual activity until the young  
9 people are ready as adults to establish, in the context of marriage, a  
10 mutually faithful monogamous relationship.

11 SECTION 2. IC 20-5-62-8 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. (a) The contract must  
13 contain the following provisions:

- 14 (1) A list of the statutes and rules that are suspended from  
15 operation in a freeway school corporation or freeway school, as  
16 listed in section 5 of this chapter.
- 17 (2) A description of the privileges of a freeway school corporation



1 or freeway school, as listed in section 6 of this chapter.

2 (3) A description of the educational benefits listed in section 7 of  
3 this chapter that a freeway school corporation or freeway school  
4 agrees to:

5 (A) achieve by the end of five (5) complete school years after  
6 the contract is signed; and

7 (B) maintain at the end of:

8 (i) the sixth; and

9 (ii) any subsequent;

10 complete school year after the contract is signed.

11 (4) A plan and a schedule for the freeway school corporation or  
12 freeway school to achieve the educational benefits listed in  
13 section 7 of this chapter by the end of five (5) complete school  
14 years after the contract is signed. The schedule must show some  
15 percentage of improvement by the end of the second, third, and  
16 fourth complete school years after the contract is signed.

17 (5) A school by school strategy, including curriculum, in which  
18 character education is demonstrated to be a priority. The strategy  
19 required under this subdivision must include the following  
20 subjects as integral parts of each school's character education:

21 (A) Hygiene.

22 (B) Alcohol and drugs.

23 (C) Diseases transmitted sexually or through drug use,  
24 including AIDS.

25 (D) Honesty.

26 (E) Respect.

27 (F) Abstinence and restraint.

28 **The instruction under clauses (A), (B), (C), and (F) must be**  
29 **medically accurate.**

30 (6) A plan under which the freeway school corporation or freeway  
31 school will offer courses that will allow a student to become  
32 eligible to receive an honors diploma.

33 (7) A plan under which the freeway school corporation or freeway  
34 school will maintain a safe and disciplined learning environment  
35 for students and teachers.

36 (b) In the contract:

37 (1) the quantitative measures of benefits may be higher, but not  
38 lower, than the minimum educational benefits listed in section 7  
39 of this chapter; and

40 (2) educational benefits may be included in addition to the  
41 minimum educational benefits listed in section 7 of this chapter.

42 SECTION 3. IC 20-8.1-7-21 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 21. (a) The state board  
 2 of education shall provide **medically accurate** information stressing  
 3 the moral aspects of abstinence from sexual activity in any literature  
 4 that it distributes to school children and young adults concerning  
 5 available methods for the prevention of acquired immune deficiency  
 6 syndrome (AIDS). Such literature must state that the best way to avoid  
 7 AIDS is for young people to refrain from sexual activity until they are  
 8 ready as adults to establish, in the context of marriage, a mutually  
 9 faithful monogamous relationship.

10 (b) The state board of education may not distribute AIDS literature  
 11 described in subsection (a) to school children without the consent of  
 12 the governing body of the school corporation the school children  
 13 attend.

14 SECTION 4. IC 20-8.1-11-13 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 13. The council shall  
 16 do the following:

17 (1) Identify and study **medically accurate** educational materials  
 18 and resources on AIDS that are available for use in the schools  
 19 within the school corporation.

20 (2) Determine which educational materials and resources are  
 21 based on sound medical principles and reflect the attitude of the  
 22 community.

23 (3) Recommend to the school corporation educational materials  
 24 and resources on AIDS **that are medically accurate and that**  
 25 reflect the standards of the community.

26 SECTION 5. IC 20-10.1-4-5 IS AMENDED TO READ AS  
 27 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. Each school  
 28 corporation shall include in its curriculum the following studies:

29 (1) Language arts, including English, grammar, composition,  
 30 speech, and second languages.

31 (2) Mathematics.

32 (3) Social studies and citizenship, including the constitutions,  
 33 governmental systems, and histories of Indiana and the United  
 34 States.

35 (4) Sciences.

36 (5) Fine arts, including music and art.

37 (6) **Medically accurate** health education, physical fitness, safety,  
 38 and the effects of alcohol, tobacco, drugs, and other substances on  
 39 the human body.

40 (7) Additional studies selected by each governing body, subject  
 41 to revision by the state board of education.

42 SECTION 6. IC 20-10.1-4-10 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 10. (a) Each school  
 2 corporation shall include in its curriculum **medically accurate**  
 3 instruction concerning the disease known as acquired immune  
 4 deficiency syndrome (AIDS) and shall integrate this effort to the extent  
 5 possible with **medically accurate** instruction on other dangerous  
 6 communicable diseases.

7 (b) A school corporation shall consider the recommendations of the  
 8 AIDS advisory council (as established in IC 20-8.1-11) concerning  
 9 community standards on the content of the instruction, the manner in  
 10 which the information is presented, and the grades in which it is taught.

11 (c) Literature that is distributed to school children and young adults  
 12 under this section must include information required by IC 20-8.1-7-21.

13 (d) The department, in consultation with the state department of  
 14 health, shall develop **medically accurate** AIDS educational materials.  
 15 The department shall make the materials developed under this section  
 16 available to school corporations.

17 SECTION 7. IC 20-10.1-4-11 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 11. ~~Throughout~~  
 19 Instruction on human sexuality or sexually transmitted diseases **must**  
 20 **be medically accurate**. An accredited school shall:

- 21 (1) teach abstinence from sexual activity outside of marriage as
- 22 the expected standard for all school age children;
- 23 (2) include that abstinence from sexual activity is the only certain
- 24 way to avoid out-of-wedlock pregnancy, sexually transmitted
- 25 diseases, and other associated health problems; and
- 26 (3) include that the best way to avoid sexually transmitted
- 27 diseases and other associated health problems is to establish a
- 28 mutually faithful monogamous relationship in the context of
- 29 marriage.

30 SECTION 8. IC 20-10.1-9-3 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) The following  
 32 classifications are established to encompass all subjects in all grades  
 33 of the public schools for which credit is given:

- 34 (1) Language arts-English, spelling, and literature.
- 35 (2) Social studies.
- 36 (3) Mathematics.
- 37 (4) Science and **medically accurate** health education.
- 38 (5) Miscellaneous.
- 39 (6) Language arts-reading and handwriting.
- 40 (7) Foreign languages.

41 (b) When the classification for a particular textbook subject is  
 42 unclear, it shall be determined by the rules of the state board of



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1 education.

2 SECTION 9. IC 20-10.1-9-4 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. (a) Prior to  
4 December 15, 1984, and in every sixth year thereafter, the state board  
5 of education shall make a regular adoption of, and contract for,  
6 textbooks for each subject under the classification of social studies at  
7 a meeting held for that purpose.

8 (b) Prior to December 15, 1985, and in every sixth year thereafter,  
9 the state board of education shall make a regular adoption of, and  
10 contract for, textbooks for each subject under the classification of  
11 mathematics at a meeting held for that purpose.

12 (c) Prior to December 15, 1986, and in every sixth year thereafter,  
13 the state board of education shall make a regular adoption of, and  
14 contract for, textbooks for each subject under the classification of  
15 science and **medically accurate** health education, at a meeting held for  
16 that purpose.

17 (d) Prior to December 15, 1987, and in every sixth year thereafter,  
18 the state board of education shall make a regular adoption of, and  
19 contract for, textbooks for each subject under the classification of  
20 miscellaneous at a meeting held for that purpose.

21 (e) Prior to December 15, 1988, and in every sixth year thereafter,  
22 the state board of education shall make a regular adoption of, and  
23 contract for, textbooks for each subject under the classification of  
24 language arts-reading and handwriting, at a meeting held for that  
25 purpose.

26 (f) Prior to December 15, 1989, and in every sixth year thereafter,  
27 the state board of education shall make a regular adoption of, and  
28 contract for, textbooks for each subject under the classifications of  
29 language arts-English, spelling, and literature, and foreign languages  
30 at a meeting held for that purpose.

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