

HOUSE BILL No. 1566

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-30-5-13.

Synopsis: Instruction on human sexuality. Requires instruction in state accredited schools on human sexuality or sexually transmitted diseases to be based on information that is medically and scientifically accurate and age appropriate. Lists the criteria that instruction on human sexuality and sexually transmitted diseases must meet.

Effective: July 1, 2023.

Rowray

January 19, 2023, read first time and referred to Committee on Education.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1566

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 20-30-5-13, AS AMENDED BY P.L.92-2020,
- 2 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2023]: Sec. 13. (a) **As used in this section, "age**
- 4 **appropriate" means suitable to a particular age or age group based**
- 5 **on developing cognitive, emotional, and behavioral capacity typical**
- 6 **for that age or age group.**
- 7 (b) **As used in this section, "appropriate instructor" means an**
- 8 **instructor with knowledge of the most recent medically accurate**
- 9 **research on human sexuality, pregnancy, and sexually transmitted**
- 10 **diseases.**
- 11 (c) **As used in this section, "comprehensive sexual health**
- 12 **education" means instruction on:**
- 13 (1) **human development;**
- 14 (2) **sexuality;**
- 15 (3) **reproduction;**
- 16 (4) **abstinence;**
- 17 (5) **anatomy;**



1 (6) physiology;

2 (7) consent;

3 (8) all contraceptives and condoms approved by the federal
4 Food and Drug Administration;

5 (9) the prevention of pregnancy and sexually transmitted
6 diseases;

7 (10) healthy relationships; and

8 (11) healthy communication skills.

9 (d) As used in this section, "instructor" means an employee,
10 contractor, or consultant of the school corporation.

11 (e) As used in this section, "medically accurate" refers to
12 information that is supported by the weight of research conducted
13 in compliance with accepted scientific methods and recognized as
14 accurate and objective by the leading professional organizations
15 and agencies with expertise in relevant fields, including the Centers
16 for Disease Control and Prevention, the American Public Health
17 Association, the American Academy of Pediatrics, and the
18 American College of Obstetricians and Gynecologists.

19 (f) ~~Throughout~~ If a state accredited school provides instruction on
20 human sexuality or sexually transmitted diseases, a ~~the~~ state accredited
21 school shall

22 (1) require a teacher to teach abstinence from sexual activity
23 outside of marriage as the expected standard for all school age
24 children;

25 (2) include in the instruction that abstinence from sexual activity
26 is the only certain way to avoid out-of-wedlock pregnancy,
27 sexually transmitted diseases, and other associated health
28 problems; and

29 (3) include in the instruction that the best way to avoid sexually
30 transmitted diseases and other associated health problems is to
31 establish a mutually faithful monogamous relationship in the
32 context of marriage: **provide comprehensive sexual health**
33 **education, using appropriate instructors.**

34 (g) Instruction and materials used in comprehensive sexual
35 health education under this section shall satisfy all of the following
36 criteria:

37 (1) Be age appropriate.

38 (2) Be scientifically and medically accurate and informed by
39 scientific research and effective practices.

40 (3) Be appropriate for use with students of all races, genders,
41 gender identities, sexual orientations, and ethnic and cultural
42 backgrounds and for students with disabilities.



- 1 (4) Include the physiological and sociological developmental
 2 processes experienced by an individual.
 3 (5) Understand the influence of family, peers, community, and
 4 the media throughout life on healthy sexual relationships.
 5 (6) Encourage students to communicate with the students'
 6 parents and guardians, health care and social service
 7 professionals, and other trusted adults about human sexuality.
 8 (7) Teach that consent refers to a free, voluntary, knowing,
 9 and mutual agreement to engage in a specific sexual act or
 10 contact. Consent can be withdrawn at any time. Any
 11 expression of lack of consent by words, actions, or attitude
 12 means that consent does not exist or has been withdrawn.
 13 (8) Teach respect for marriage and committed relationships
 14 and encourage healthy relationships that are based on mutual
 15 respect and affection and are free from violence, coercion,
 16 and intimidation.
 17 (9) Teach abstinence as the most effective means of avoiding
 18 sexually transmitted diseases and unintended pregnancy but
 19 not to the exclusion of instruction on other forms of
 20 contraception and disease prevention.
 21 (10) Provide information about the effectiveness and safety,
 22 including the health benefits and side effects, of all
 23 contraceptives and condoms approved by the federal Food
 24 and Drug Administration in preventing pregnancy and
 25 reducing the risk of contracting sexually transmitted diseases.
 26 (11) Provide students with skills in critical thinking, problem
 27 solving, decision making, and stress management in order to
 28 make healthy decisions about sexuality and relationships.
 29 (12) Be appropriate for students who choose to be abstinent
 30 and for those who have been or are sexually active.
 31 (13) Emphasize the necessity of consent as a requirement
 32 before engaging in any sexual activity, including recognition
 33 and withdrawal of consent.
 34 (14) Emphasize recognizing and responding safely and
 35 effectively when violence or a risk of violence is or may be
 36 present with strategies that include bystander training.
 37 (15) Be consistent with the National Sexuality Education
 38 Standards, Core Content and Skills, K-12.
 39 (h) Comprehensive sexual health education provided under this
 40 section shall not include any instruction or materials that do either
 41 of the following:
 42 (1) Teach or promote religious doctrine.



- 1 **(2) Reflect or promote bias or discrimination against any**
2 **person on the basis of race, color, ethnicity, religion, gender,**
3 **gender identity, familial status, sexual orientation, disability,**
4 **or national origin.**
- 5 **(i) Comprehensive sexual health education must be given at**
6 **least:**
- 7 **(1) one (1) time to students in grade 5;**
8 **(2) two (2) times in total during the period when students are**
9 **in grades 6 through 8; and**
10 **(3) two (2) times in total during the period when students are**
11 **in grades 9 through 12.**
- 12 **(j) A state accredited school subject to this section must provide**
13 **comprehensive sexual health education in accordance with section**
14 **17 of this chapter.**
- 15 **(k) Not later than November 1, 2024, and each November 1**
16 **thereafter, the department shall require school corporations to**
17 **annually report the curricula used to provide comprehensive**
18 **sexual health education. The department shall submit the results**
19 **to the chairperson of the house committee on education and the**
20 **chairperson of the senate committee on education and career**
21 **development in an electronic format under IC 5-14-6.**

