

2016 Regular Session

HOUSE BILL NO. 402

BY REPRESENTATIVE SMITH

STUDENTS: Authorizes the state Dept. of Education and the Dept. of Health and Hospitals to survey students regarding certain risk behavior associated with chronic health conditions

1 AN ACT

2 To amend and reenact R.S. 17:281(A)(2), relative to student health; to authorize the state
3 Department of Education and the Department of Health and Hospitals to survey
4 students about risk behavior associated with chronic health conditions; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:281(A)(2) is hereby amended and reenacted to read as follows:

8 §281. Instruction in sex education

9 A.

10 * * *

11 (2)(a) It is the intent of the legislature that, for the purposes of this Section,
12 "sex education" shall mean the dissemination of factual biological or pathological
13 information that is related to the human reproduction system and may include the
14 study of sexually transmitted disease, pregnancy, childbirth, puberty, menstruation,
15 and menopause, as well as the dissemination of factual information about parental
16 responsibilities under the child support laws of the state. It is the intent of the
17 legislature that "sex education" shall not include religious beliefs, practices in human
18 sexuality, nor the subjective moral and ethical judgments of the instructor or other

1 persons. Students shall not be tested, quizzed, or surveyed about their personal or
2 family beliefs or practices ~~in~~ about sex, morality, or religion.

3 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
4 the following may survey high school students anonymously about their risk
5 behavior associated with chronic health conditions, including those related to sexual
6 health:

7 (i) The state Department of Education.

8 (ii) The Department of Health and Hospitals.

9 (c) Prior to the administration of any survey authorized by the provisions of
10 Subparagraph (b) of this Paragraph, a student's parent or legal guardian shall be
11 provided the opportunity to request that the student be excused from completing the
12 survey. Upon such request, the student shall neither be given nor be required to
13 complete the survey.

14 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 402 Engrossed

2016 Regular Session

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Abstract: Authorizes the state Dept. of Education and the Dept. of Health and Hospitals to survey high school students anonymously about risk behavior associated with chronic health conditions.

Present law authorizes public schools to offer instruction in "sex education" if such instruction is integrated into an existing course of study such as biology, science, physical hygiene, or physical education. Prohibits testing, quizzing, or surveying students about their personal beliefs or practices in sex, morality, or religion. Proposed law adds an exception to present law by authorizing the state Dept. of Education and the Dept. of Health and Hospitals to survey high school students anonymously about their risk behavior associated with chronic health conditions, including those related to sexual health. Provides that prior to survey administration, a student's parent or legal guardian shall be provided the opportunity to request that he be excused from completing the survey and that upon such request, the student shall neither be given nor be required to complete the survey. Otherwise retains present law.

(Amends R.S. 17:281(A)(2))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Limit students who may be surveyed to those in high school and require that survey be anonymous.
2. Add requirement that parents be given the opportunity to "opt out" prior to survey administration.