

HOUSE No. 461

The Commonwealth of Massachusetts

PRESENTED BY:

David F. DeCoste

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to securing parental consent for human sexuality education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/20/2023</i>
<i>Kelly W. Pease</i>	<i>4th Hampden</i>	<i>3/2/2023</i>

HOUSE No. 461

By Representative DeCoste of Norwell, a petition (accompanied by bill, House, No. 461) of David F. DeCoste and Kelly W. Pease relative to securing parental consent for human sexuality education. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to securing parental consent for human sexuality education.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The first sentence of Section 32A of Chapter 71 of the General Laws, as
2 appearing in the 2020 Official Edition, is hereby amended by inserting after the word “primarily”
3 the following words:-involves human sexual education or human sexuality issues and shall adopt
4 a policy ensuring notification to a parent or guardian and requiring the consent of such parent or
5 guardian for their child’s participation.

6 SECTION 2. The first paragraph of said section 32A, as so appearing, is hereby amended
7 by striking out the last sentence.

8 SECTION 3. The first sentence of the third paragraph of said section 32A, as so
9 appearing, is hereby further amended by striking out the following words: “To the extent
10 practicable,” and inserting in place thereof the word:-“All”.

11 SECTION 4. The first sentence of the third paragraph of said section 32A, as so
12 appearing, is hereby further amended by inserting after the word “review,” the following words:-
13 at least 21 days before the planned instruction.

14 SECTION 5. Said Chapter 71, as so appearing, is hereby further amended by inserting
15 after section 32A the following section:-

16 Section 32B. (a) Notification to a parent or guardian and a request for their consent shall
17 be provided by mail, phone call, or United States mail at least 21 days before a presentation
18 involving human sexual education or human sexuality issues.

19 (b) Notification to a parent or guardian and a request for their consent shall explicitly
20 identify the topics of abortion, birth control, and laws regarding minors’ reproductive health
21 when these topics are included in a presentation involving human sexual education or human
22 sexuality issues.

23 (c) Notification to a parent or guardian and a request for their consent shall
24 include the names of agencies to which a student may be referred for reproductive health issues,
25 including birth control, abortion, and reproductive health services.

26 (d) A parent or guardian shall provide consent in writing for their child to attend a
27 presentation involving human sexual education or human sexuality issues. No child shall be
28 penalized if their parent or guardian declines to give permission for them to participate in such
29 presentation.

30 (e) Each school district’s website shall identify objectives related to abortion, birth
31 control, and laws for minors’ consent for reproductive health-care services when these topics are

32 included in “Health curriculum,” “Wellness education,” “Personal Responsibility Education
33 Programs,” and similar or related programs.

34 (f) For each violation of this policy and for each child affected, a school district shall pay
35 to each aggrieved parent or guardian the amount of two thousand five hundred dollars.