

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2206

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact two new sections to chapter 15-38 of the North Dakota Century code, relating to sex education in the public schools.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 15-38 of the North Dakota Century Code is created and enacted as follows:

**Definitions.** As used in this Act, unless the context otherwise requires:

1. "Abstinence-based education" means an educational program that:
  - a. Teaches the social, psychological, and health benefits realized by abstaining from sexual activity;
  - b. Establishes abstinence from sexual activity outside of marriage as the expected standard for all students;
  - c. Teaches that abstinence from sexual activity is the only certain way to avoid pregnancy, sexually transmitted diseases, and other associated health problems;
  - d. Establishes a mutually faithful monogamous relationship within the context of marriage as the expected standard for human sexual activity;
  - e. Teaches that sexual activity outside of marriage may have harmful physical and psychological consequences;
  - f. Teaches that bearing a child outside of marriage may have harmful consequences for the child, the child's parents, and society;
  - g. Teaches students ways to reject sexual advances;
  - h. Teaches students that drug and alcohol use increases their susceptibility to sexual advances; and
  - i. Teaches the importance of attaining self-sufficiency before engaging in sexual activity.
2. "Curricular material" means written plans on which instruction is based.
3. "Sex education" means any instruction given as part of a planned course, curriculum, or other instructional program that is intended to impart information or promote discussion or understanding regarding human sexual behavior, sexual feelings and sexual values, human sexuality and reproduction, pregnancy avoidance or termination, or sexually transmitted diseases. The term does not include:
  - a. Any discussion or instruction that occurs in a planned course designed for a purpose unrelated to sex education, provided that the instruction or discussion is reasonably designed to further the

objectives of the course and is not undertaken for the purpose of circumventing this Act; or

- b. Any instruction in physiology, biology, zoology, or a similar course of scientific instruction provided any information relating to sex education imparted by the course is limited to scientific instruction on the functioning of human reproductive organs.

**SECTION 2.** A new section to chapter 15-38 of the North Dakota Century Code is created and enacted as follows:

**Board approval - Sex education - Public hearing.**

1. A school board may not permit the teaching of sex education in any public school within the district unless the board:
  - a. First conducts at least one public hearing with opportunity for public comment;
  - b. Adopts standards for sex education; and
  - c. Approves the curricular material to be used to teach sex education.
2. A school board may approve the curricular material used to teach sex education only if the material promotes abstinence-based education and is appropriate for the maturity level of the students to be taught.
3. The participation of a student in any sex education course or program approved by a school board under this section is at the option of the student's parent or legal guardian. Neither school nor school district personnel may impose any direct or indirect sanctions on a student who is not permitted to participate in a sex education course or program."

Renumber accordingly