



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: I – Instruction
POLICY TITLE: Health Instruction and Sex Education
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1. PURPOSE AND PHILOSOPHY

- 1.1.** The Board of Education (Board) recognizes the personal and societal benefits of health education taught by qualified educators. The Board also recognizes its duty under Utah law to provide for the responsible instruction of students in certain areas of health education. Specifically, the Board recognizes that the standards and objectives adopted by the Utah State Board of Education include instruction on the physical and emotional aspects of human sexuality and the mental, emotional, social, and physical changes that occur throughout a person's life. Utah law places certain requirements on the instruction of human sexuality and related areas, such as human reproduction, maturation, sexually transmitted diseases, and human relationships.
- 1.2.** The Board supports parent choice in the instruction of human sexuality and believes parents should be able to choose whether to have qualified educators teach their children about human sexuality and related areas, such as human reproduction, contraception, maturation, sexually transmitted diseases, and human relationships. The Board also believes parents should be able to choose which portions of the human sexuality curriculum are taught to their children.
- 1.3.** The Board believes the human sexuality curriculum should promote marriage and the family, emphasizing sexual abstinence before marriage and fidelity within marriage.
- 1.4.** This policy is adopted to outline requirements on instruction of maturation and human sexuality, as well as requirements and procedures for adoption of curriculum and materials used therewith.

2. DEFINITIONS

- 2.1.** "Health and Sex Education Curriculum Materials Review Committee" or "Committee" means the committee formed consistent with [UTAH ADMIN. CODE R277-474-2](#), as described in Section 3 of this policy.

- 2.2.** “Health education instruction” means instruction in the curricula required under [UTAH CODE ANN. § 53G-10-402\(2\)\(a\)](#): community and personal health, physiology, personal hygiene, prevention of communicable disease, refusal skills, and the harmful effects of pornography.
- 2.3.** “Sex education instruction” is defined in [UTAH CODE ANN. § 53G-10-403](#) and means any course material, unit, class, lesson, activity, or presentation that, as the focus of the discussion, provides instruction or information to a student about sexual abstinence; human sexuality; human reproduction; reproductive anatomy or physiology; pregnancy; marriage; childbirth; parenthood; contraception; HIV/AIDS; sexually transmitted diseases; or refusal skills as defined in [UTAH CODE ANN. § 53G-10-402](#).
- 2.4.** “State Instructional Materials Commission” means the state-level advisory commission appointed by the Utah State Board of Education under [UTAH CODE ANN. § 53E-4-402](#), the duties and authority of which are more fully outlined in [UTAH ADMIN. CODE R277-474](#).
- 2.5.** “Maturation education” means instruction and materials used to teach fifth or sixth grade students about the physical and emotional changes associated with puberty. Maturation education is intended to assist in protecting students from abuse and to promote hygiene and good health practices. Instruction and materials must be Medically Accurate and age appropriate.
- 2.6.** “Medically accurate” means verified or supported by research conducted in compliance with scientific methods and published in journals that have received peer review, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the American Medical Association.
- 2.7.** “Parental Notification Form” means the form approved by the Utah State Board of Education as described in [UTAH ADMIN. CODE R277-474](#) and referenced in the Forms section at the end of this policy as the Utah State Board of Education Parent/Guardian Consent Form, Sex education instruction.
- 2.8.** “Refusal skills” is defined in [UTAH CODE ANN. § 53G-10-402](#) and means instruction:
- 2.8.1.** in a student's ability to clearly and expressly refuse sexual advances by a minor or adult;
 - 2.8.2.** in a student's obligation to stop the student's sexual advances if refused by another individual;
 - 2.8.3.** informing a student of the student's right to report and seek counseling for unwanted sexual advances;
 - 2.8.4.** in sexual harassment; and
 - 2.8.5.** informing a student that a student may not consent to criminally prohibited activities or activities for which the student is legally prohibited from giving consent, including the electronic transmission of sexually explicit images by an individual of the individual or another.
- 3. HEALTH AND SEX EDUCATION CURRICULUM MATERIALS REVIEW COMMITTEE**
- 3.1.** Consistent with [UTAH ADMIN. CODE R277-474](#), there is formed at the District level a Health Curriculum Materials Review Committee (“Committee”). The Associate Superintendent of Curriculum shall ensure that the Committee is organized and functions as provided in this policy. The Committee must include the following individuals:
- 3.1.1.** Parents,
 - 3.1.2.** Health professionals,

- 3.1.3. School health educators, and
- 3.1.4. Administrators.
- 3.2. The Committee shall include at least as many parents as school employees.
- 3.3. Committee members are appointed and reviewed annually by the Board.
- 3.4. The Committee shall meet on a regular basis as determined by the membership.
- 3.5. The Committee shall designate a chair and select its own procedures.
- 3.6. The Committee is subject to the Open and Public Meetings Act, [UTAH CODE ANN. § 52-4-101 et seq.](#)
- 3.7. The Committee may recommend instructional materials to the Board.
- 3.8. The Committee shall review and approve all guest speakers and guest presenters and their respective materials relating to sex education instruction in any course and maturation education prior to their presentations.
- 3.9. The Committee shall not authorize the use of any sex education instruction program or maturation education program not previously (a) approved by the state Instructional Materials Commission and recommended by the Utah State Board of Education, (b) approved by the Board consistent with the procedures outlined in [UTAH ADMIN. CODE R277-474](#), or (c) approved under [UTAH CODE ANN. § 53G-10-402](#).
- 3.10. The Committee shall set the scope and sequence of sex education instruction and maturation education using materials adopted by the Board as described in Section 5 of this policy.

4. PARENTAL CONSENT REQUIRED

- 4.1. The parent or legal guardian of a student must provide written consent before the student may participate in sex education instruction or maturation education.
- 4.2. Consent must be obtained using the Parental Notification Form developed by the Utah State Board of Education, as described in [UTAH ADMIN. CODE R277-474](#).
- 4.3. The signed Parental Notification Forms must be retained at the school for a reasonable period of time but no less than one year.
- 4.4. If a student's parent chooses not to have the student participate in sex education instruction, the school shall either waive the requirement to participate or provide the student with a reasonable alternative to the sex education instruction.

5. ADOPTION OF CURRICULUM AND MATERIALS

- 5.1. *Primary source materials*, as that term is defined in [Nebo School District Policy IIA, Student Instruction and Materials](#), for sex education instruction, health education instruction, or maturation education, must be approved and adopted by the Board.
- 5.2. The Board may choose to adopt
 - 5.2.1. instructional materials for sex education instruction, health education instruction, or maturation education, that have been evaluated by the State Instructional Materials Commission and recommended by USBE, or
 - 5.2.2. other instructional materials under the process described below and in accordance with [UTAH ADMIN. CODE R277-474](#).

- 5.3.** If the Board adopts instructional materials under paragraph 5.2.2, the following apply:
- 5.3.1.** The Board must ensure that the materials comply with state law and USBE rules.
 - 5.3.2.** The Board must base the adoption of the materials on the recommendations of the Committee.
 - 5.3.3.** The adoption must be by a majority vote of Board members present at a regular Board meeting for which prior notice is given to parents and in which parents and students are given the opportunity to express their views and opinions on the materials.
 - 5.3.4.** The materials must comply with Section 6 of this policy.
 - 5.3.5.** The materials must be medically accurate, as defined in [UTAH ADMIN. CODE R277-474](#), meaning they must be verified or supported by research conducted in compliance with scientific methods and published in journals that have received peer-review, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the American Medical Association.
 - 5.3.6.** The materials must be made available to residents of the District for reasonable review opportunities prior to consideration for adoption.
 - 5.3.7.** The District shall make a report to the Utah State Board of Education that includes the following:
 - 5.3.7.1.** A copy of the materials;
 - 5.3.7.2.** Documentation of the materials' adoption by the Board under this section;
 - 5.3.7.3.** Documentation of the recommendation of the materials by the Committee; and
 - 5.3.7.4.** A statement of the Board's rationale for selecting materials not approved by the State Instructional Materials Commission.
 - 5.3.8.** Primary source materials adopted by the Board under paragraph 5.2.2 must be reviewed annually by the Board.

6. HEALTH EDUCATION INSTRUCTION

- 6.1.** Consistent with the parental consent requirements of Section 4, students shall receive instruction on the following topics on at least two occasions during the period that begins with the beginning of grade 8 and the end of grade 12:
- 6.1.1.** Community and personal health;
 - 6.1.2.** Reproductive physiology;
 - 6.1.3.** Personal hygiene;
 - 6.1.4.** Prevention of communicable disease;
 - 6.1.5.** Refusal skills; and
 - 6.1.6.** The harmful effects of pornography.
- 6.2.** The instruction described in subsection 6.1 must stress
- 6.2.1.** The importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for preventing certain communicable diseases; and

- 6.2.2.** Personal skills that encourage individual choice of abstinence and fidelity.
- 6.3.** The following may not be taught in District schools through the use of instructional materials, direct instruction, or online instruction:
 - 6.3.1.** The intricacies of intercourse, sexual stimulation, or erotic behavior;
 - 6.3.2.** The advocacy of premarital or extramarital sexual activity;
 - 6.3.3.** The advocacy or encouragement of the use of contraceptive methods or devices; or
 - 6.3.4.** The advocacy of abortion.
- 6.4.** Consistent with the parental consent requirements of Section 4 and the prohibitions in paragraph 6.3.3, instruction may include information about contraceptive methods or devices. The instruction should explain the effectiveness, limitations, risks, and information on state law applicable to minors obtaining contraceptive methods or devices.
- 6.5.** Consistent with [UTAH CODE ANN. § 53G-10-402](#), employees may not support or encourage criminal conduct by students, teachers, or volunteers.

7. EDUCATOR RESPONSIBILITIES

- 7.1.** Before providing instruction under this policy, newly hired or newly assigned educators must attend professional development outlining the sex education curriculum and the criteria for sex education instruction in any course offered in the public education system. All educators providing instruction under this policy must attend such professional development at least once every three years.
- 7.2.** Due to the sensitive nature of human sexuality and maturation, individuals providing instruction under this policy should do so in an atmosphere of respect and dignity. Instructors should avoid remarks or actions that might reasonably be construed to have a demeaning or embarrassing effect on students.
- 7.3.** Educators may not use primary source materials for sex education instruction, health education instruction, or maturation education that have not been approved by the Board.
- 7.4.** Educators may not provide contraceptives to students.
- 7.5.** Educators who receive complaints or comments from parents or students resulting from student participation in instruction under this policy shall deliver such complaints or comments to the chair of the Committee.
- 7.6.** Educators shall ensure that students for whom the consent is not obtained as required under Section 4 of this policy do not participate in the instruction.
- 7.7.** Educators may respond to spontaneous student questions for the purposes of providing accurate data or correcting inaccurate or misleading information or comments made by students in class regarding human sexuality.

EXHIBITS

None

REFERENCES

Open and Public Meetings Act, [UTAH CODE ANN. § 52-4-101 et seq.](#)
[UTAH CODE ANN. § 53E-4-402](#)
[UTAH CODE ANN. § 53G-10-402](#)
[UTAH CODE ANN. § 53G-10-403](#)
[UTAH ADMIN. CODE R277-474](#)

[Nebo School District Policy IIA Student Instruction and Materials](#)

FORMS

[Utah State Board of Education Parent/Guardian Consent Form, Sex Education Instruction](#)

HISTORY

Revised: 8 December 2021 – updated consistent with HB286 (2018), HB71 (2019), and R277-474 (Oct 2019); changed title from Healthy Responsible Lifestyle Education to Health Instruction and Sex Education; changed name of committee and broadened responsibilities to include health curriculum; modified definitions; reorganized some sections; made technical changes.

Revised: 14 June 2017 – updated restrictions on instruction from prohibiting advocacy of homosexuality to advocacy of premarital or extramarital sexual activity per SB196 (2017).

Revised: 9 March 2016 – updated definition of maturation; terminology of primary materials consistent with NSD Policy IIA, Student Instruction and Materials.

Revised: 13 May 2015 – repealed and replaced 1994 policy consistent with updated laws.

Adopted or revised: 9 February 1994.
