

1 (2) Any school implementing or maintaining a curriculum, providing materials, or holding an event
2 ~~or assembly at which the district that~~ provides human sexuality instruction, ~~whether introduced by school~~
3 ~~educators, administrators, or officials or by guests invited at the request of the school, or identity instruction~~
4 shall adopt a policy ensuring parental or guardian notification ~~no less than 48 hours no fewer than 2 school~~
5 days or more than 10 school days prior to holding an event or assembly or first introducing materials for
6 instructional use.

7 (3) A school district shall annually notify the parent or guardian of each student scheduled to be
8 enrolled in a course that includes units or lessons on human sexuality instruction or identity instruction in the
9 district or school in advance of the instruction of:

10 (a) the basic content of the district's or school's human sexuality instruction or identity instruction
11 intended to be taught to the student and the availability of all curriculum materials related to human sexuality
12 instruction or identity instruction in the course pursuant to subsection (5); and

13 (b) the parent's or guardian's right to withdraw the student from the district's or school's human
14 sexuality instruction; and

15 (c) the requirement that the parent or guardian provide written permission to allow the child to
16 attend identity instruction.

17 (4) In addition to the notice required in subsection (3), a school district shall adopt a policy to
18 ensure an annual notice is available, including an electronic link to materials or summaries of materials,
19 consistent with copyright laws, for:

20 (a) the district's health enhancement curriculum, including lesson plans or other materials used for
21 human sexuality instruction or identity instruction; and

22 (b) a calendar of events or assemblies at which human sexuality instruction or identity instruction
23 will be provided.

24 (4) (5) (a) A school district shall make all curriculum materials used in the district's or school's human
25 sexuality instruction and identity instruction available for public inspection prior to the use of the materials in
26 actual instruction.

27 (b) A school district shall prepare a summary of the district's health enhancement curriculum and
28 shall review and prepare any updates to the summary each year. The summary is public information and is

1 subject to the public's right to access information pursuant to 2-6-1003.

2 (5) (6) A school district or its personnel or agents may not permit a person, entity, or any affiliate or
3 agent of the person or entity to offer, sponsor, or furnish in any manner any course materials or instruction
4 relating to human sexuality or sexually transmitted diseases to its students or personnel if the person, entity, or
5 any affiliate or agent of the person or entity is a provider of abortion services.

6 (7) (a) Remedies for the violation of this section include but are not limited to those under 20-4-
7 110.

8 (b) If, after investigating a violation under this section, the trustees of a district find that an
9 individual has knowingly or repeatedly violated this section, the trustees shall report the findings to the board of
10 public education pursuant to 20-4-110.

11 (c) Nothing in this subsection (7) precludes an individual from filing a suit asserting a violation of
12 this section or any other claim otherwise allowed by law, and nothing in this subsection (7) requires exhaustion
13 of the other remedies prior to filing a suit.

14 (6) (8) (a) For the purposes of this section, the following terms apply:

15 (i) "human-Human sexuality instruction" means ~~teaching or otherwise providing information about~~
16 ~~human sexuality, including intimate relationships, human instruction that has the goal or purpose of studying,~~
17 ~~exploring, or informing students about any of the following human sexuality topics: intimate relationships, sexual~~
18 ~~anatomy, sexual reproduction, sexually transmitted infections, sexual acts, sexual orientation, gender identity,~~
19 ~~abstinence, contraception, or reproductive rights and responsibilities.~~

20 (ii) "Identity instruction" means instruction that has the goal or purpose of studying, exploring, or
21 informing students about gender identity, gender expression, or sexual orientation.

22 (iii) "Instruction" means the conduct of organized learning activities, including the provision of
23 materials, for students in a public school, whether conducted by a teacher or other school staff or guests invited
24 at the request of the school or district and regardless of the duration, venue, or method of delivery.

25 (b) Neither "human sexuality instruction" nor "identity instruction" includes or applies to a teacher's
26 brief response to an unexpected student-initiated inquiry related to the topics under each term if the response is
27 only to the extent necessary to resolve the inquiry or to maintain civility and decorum in the classroom."

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